

HOWNIKAN

PEOPLE OF THE FIRE

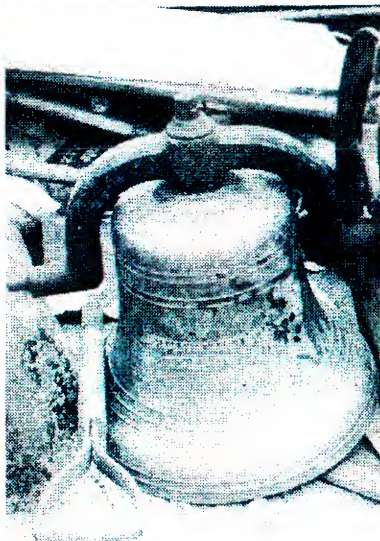


Vol. 12, No. 3

Citizen Band Potawatomi Tribe

March, 1991

Tribe's restoration of mission church underway



Top: Bell Tower Sits Near Church, Right, While Roof Is Repaired
Bottom Left: Interior Where Ceiling Has Been Torn Out
Bottom Right: Old Brass Bell Before Taken To Storage

It's just a little white church up on a hill, but it is packed with the history of the Potawatomi Tribe and the entire area.

These days, it looks like it's falling down. But the opposite is true — it is being rebuilt. The bell tower sits alone, without its bell, and one wall have been removed. Inside, parts of the floor are torn away so that workers can shore up old supports.

The Friends Mission Church will soon be restored to close to its original glory, thanks to efforts of the Citizen Band Potawatomi tribe. It still sits on Mission Hill, although not in exactly its original location, and soon will be used in much the same way it was when built in 1885.

Thomas "Wildcat" Alford, a Shawnee tribal member of the era who recorded much of the history, wrote that the first Friends mission was established in 1871. The Indians themselves hauled native lumber for the building from a mill at the Sak and Fox Agency about 35 miles northeast for a 14x28 building with a partition between two rooms. The west room was used for meetings and day school, and the east room for living room, bedroom and kitchen for the missionary, Joseph Newman, and his family.

The Mission Day School opened in 1872 with seven pupils, one of them Alford. Attendance increased over the years, and meetings were held on Sundays when the adult Indians attended. In 1875, the U.S. Government took over operation of the school and it became an industrial school.

Alford remembers that he and his fellow students at the mission school were most interested in learning the words used by their white friends in play — words like game, deer, cat, dog, duck, bow and arrow. But they also used McGuffey's readers, learned to spell and cipher, and were taught "a new idea of serving the Great Spirit." Including in their education were manners and personal hygiene.

After the government took over the school, the Friends continued their religious services for all ages in a log cabin south of the original mission building. Missionary workers Elkana Beard and his wife were the first to occupy this cabin and began monthly meetings. The Beards were in charge of the mission until late 1879, when they were succeeded by Franklin Elliott and his family, who built another log house and then later the meeting house or church.

That is the building the tribe is now in the process of restoring. It was dedicated Sept. 27, 1885. The crowning touch was a brass bell brought from Independence, Kansas, in a wagon by Antone Bourbonnais. The bell, currently being safely stored while renovation is underway, is still in such good shape that you can read on the side that it was manufactured in 1884 at the Rumsey Mfg. Co. in St. Louis, Missouri.

Operations Director Bob Dunning said that not only were the bell and bell tower removed, his crew took off the entire roof. "When they added to the building, the rafters were cut," he said. "We going

Please turn to page 16

OKLAHOMA'S FIRST SUNDAY SCHOOL

An Account Of Its Organization By Its First Superintendent,
 Mary Bourbonnais, Tecumseh, Oklahoma

Under the treaty and act of 1872 between the United States government and the Pottawatomie tribe of Indians Antoine and Mary Bourbonnais, being of Indian and French descent, members of the Pottawatomie tribe of Indians in the spring of 1872 removed from Kansas to Indian Territory, now Oklahoma. Four families numbering 28 settled on the South Canadian river.

learn to read and write we put up a log house, hauling the lumber for floor from Coffeyville, Kansas.

The first teacher we hired was a renegade white man who turned out to be a horse thief and left us in the night. The second was a Catholic old maid. The third was a Mormon preacher.

In 1873 John Pickering, a Friend, then United States Indian agent located at Sac and Fox

Having desire that our children

Please turn to page 2

Citizen Band Potawatomi Tribe • Request For Ballot • 1991 Election

In order to comply with the 1991 Election Ordinance, please fill out this form and return to:
 Potawatomi Election Commission, P.O. Box 310, Tecumseh, OK 74873

NAME: _____ DATE OF BIRTH: _____

ADDRESS: _____

CITY, STATE & ZIP: _____

Under penalty of perjury, I hereby declare this to be my legal signature and Potawatomi Tribal Roll Number:

SIGNATURE: _____ TRIBAL ROLL NUMBER: _____

THIS FORM MUST BE IN THE HANDS OF THE ELECTION COMMISSION BY JUNE 9, 1991.

TRIBAL TRACTS

Pow wow grounds to have new trees, picnic tables

Tribal members attending this year's pow wow will find even more improvements to the grounds.

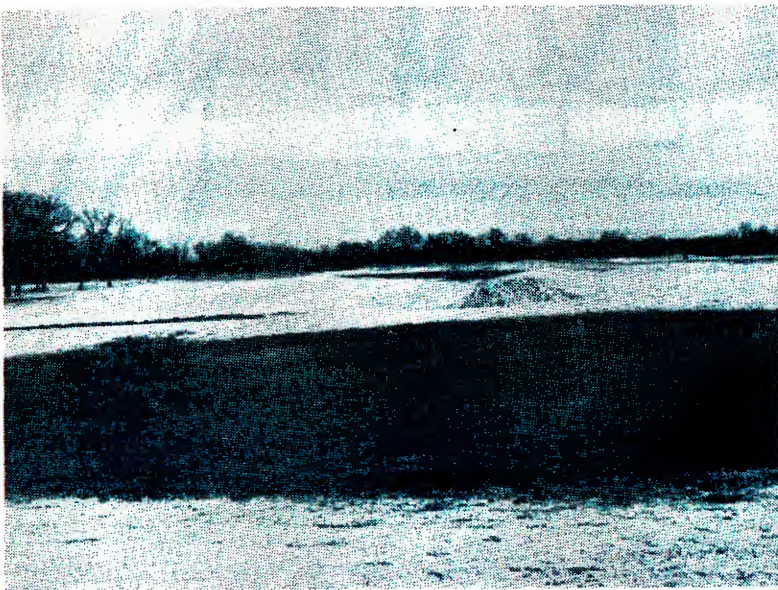
Last year, new rest room facilities, paved parking areas and a new parking lot were among the improvements. This year, according to Tribal Administrator Bob Davis, ten new concrete picnic tables will be available, and several trees are being transplanted from other areas to the pow wow grounds to provide additional shade during the hot months.

Reservations are already pouring in for camping spots as well as motel rooms in the Shawnee area. Those planning to come for Pow Wow are urged to call Mary Farrell at the tribe as soon as possible about camping and RV spaces, or contact local motels directly for rooms.

Here names, addresses and phone numbers for some Shawnee motels: American Inn, 5501 N. Harrison, (405)273-2000; Best Western Cinderella, 623 Kickapoo Spur, (405)273-7010; Colonial Inn, 4800 N. Harrison, (405)878-0120; Comfort Inn, 4981 N. Harrison, (405)275-5310; Econo Lodge, 5107 N. Harrison, (405)275-6720; Holiday Hotel, I-40 and Hwy. 18, (405)275-4404; Nobel Inn, U.S. 177 and Acme Road, (405)275-8430.

Visitors crowd tribal museum in recent weeks

The Tribal Museum has entertained scores of visitors during the past several weeks. Curator Esther Lowden said that 303 people visited the museum during February, including



New water hazards

Five new ponds on the back nine of the tribe's Fire Lake Golf Course will greet golfers this spring. Tribal Administrator Bob Davis said the tribe is spending \$18,000 from interest on tribal checking accounts to complete the ponds. "We couldn't get water to the fairways," he said. "It's a clay bank. In dry weather, the ground would crack and people would actually lose golf balls in the crevices." The ponds also, of

course, have the effect of making the course more difficult, since it adds several water hazards. Gold Pro John Lair said the course is already considered in the top ten most difficult in the state, and the new ponds will increase that. The fairways will also be enhanced with the addition of 25 fifteen-foot trees. The photos above were taken just after the digging was completed but before seeding.

school groups from Horace Mann Elementary School in Shawnee and some Japanese students visiting Shawnee as part of a Sister Cities program.

So far during March, a school-age church group of 17, Choctaw tribal members from Alabama, have visited, as well as 27 senior citizens from the McAlester, Oklahoma, area — also Choctaws.

The visitors and the staff have been enjoying the new sound system which allows Esther to play Indian music throughout the gift shop, museum and art gallery complex.

Desert Storm troops listed

Although many of the Desert Storm troops are coming home, others are still over there. The following names of service men and women were given to tribal

officials by members at recent regional council meetings:

- Eric Boyles, a tribal member from Rossville, Kansas, and son of Judith Ann Lynn Boyles. He is serving with the 430th M.P. BATT. in Saudi Arabia. He is the grandson of Lewis L. Lynn of Richland, Kansas.

- Tommy Sullivan of Horton, Kansas, who has been in the Persian Gulf area since August. He is the nephew of Nancy Sullivan.

- Gary Slavin, St. Joseph, Missouri, was still in Saudi Arabia at last report.

WIC applications now accepted by tribal workers

The Citizen Band Potawatomi Indian Tribe is now accepting eligible applicants for the WIC (Women, Infants and Children)

program. All pregnant and breastfeeding women, infants and children up to age five who are medically at risk and meet the income eligibility guidelines are eligible.

Contact the WIC office at 275-3121 Monday through Friday from 8:30 a.m. to 4:30 p.m. for more information.

Ten students earn state honors

Ten Potawatomi were among the 478 students honored March 15 at the Oklahoma Indian Honor Society banquet at Central State University in Edmond, Oklahoma. The program is sponsored by the Oklahoma Council for Indian Education.

Potawatomi honored for their academic excellence were Jeffrey Chestnut, OSU; Michelle Fox, Choctaw; Coty Greer, Watonga; Terra D. Moore, Shawnee; Will Pappan, Wynona; Brett and Julie Reece, Ardmore; Tiffany Strickland, Shawnee; and Mika and Teresa Wall, Madill. Business Committee member Francis Levier shared this information

Help needed for children and animals

A tribal member contacted the Tribe asking for assistance with eight "at risk" children and their 4-H livestock shows. Four of the eight children are tribal members. They are needing a vehicle (double cab pick-up) and a fuel fund to be able to attend the 4-H livestock shows. The tribal member has been helping children for three years, and a lot of the expense has come out of her own pocket. She said in the next few years there is the possibility of having 21 children showing livestock. If any tribal member would be interested in assisting her, please contact Cheryl Richardson in the Tribe's Social Services office.

**Support Your
HowNiKan!**

First Sunday School — from page 1

agency, paid us a visit as we were under his charge. He requested us to organize a Sunday school.

We knew nothing about a Sunday school, not a Christian among us. Our greatest delight was to feast and dance. The agent told us how to do, said he would send us Bibles and get us a teacher for our school. He offered prayer for us, so with that inducement no one objected.

He selected me, Mary Bourbonnais, for superintendent. Of course I was not fit, so declined. Those present insisted on it, I don't know why unless they knew when I undertook anything good or bad I carried it through.

The following Sunday we started our Sunday school this way: One poor drinking man started a hymn a few following. I

as superintendent kneeled down and repeated the Lord's prayer I had learned at school. Next the Bibles were passed to those who could read, I selected a chapter in the New Testament, all read verse about till close of chapter. No questions on the lesson or explanations or interpretations. Then we closed with a hymn, only from the lips and with sin in the heart.

In 1877 John Pickering sent us a teacher paid by the Government, also a Friend missionary, Franklin Elliott, who was located at Shawneetown and came 25 miles twice a month to preach to us.

Then the Scripture was taught and explained to us. I got deeper down than the lips, finally into the heart. In May 1880 I was converted, also Antoine my husband. I was glad to give up my sins and lead a better

life.

I told Franklin Elliott I wanted to join Friends for their doctrine reached the right place, right into the heart where the sin had been. But what about dancing? You Friends don't dance. I can't give that up.

His reply was, "Give your heart to Jesus and dance as long as he wants you to."

I felt at liberty to dance so gave up my all to Him and bless the Lord, He had something better for me. I never had the least desire to dance any more.

In 1882 we moved to Shawneetown where Antoine Bourbonnais died. I was superintendent of Sunday school till 1900.

"God works in a mysterious way his wonders to perform."

TRIBAL ELECTION NOTICE

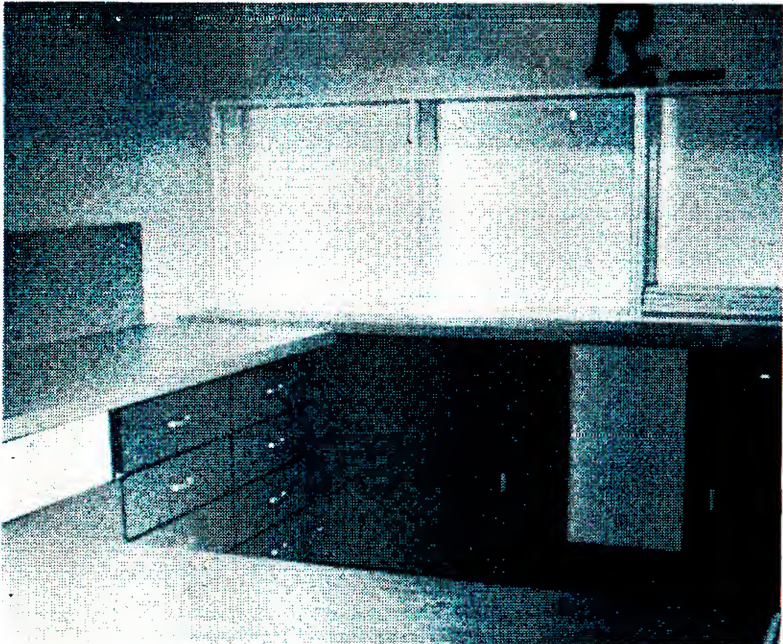
The annual tribal referendum and election will be held on June 29, 1991. Voting will be at the tribal complex the day of the elction from 7 a.m. until 2 p.m. Requests to vote an absentee ballot must be made by June 9, 1991. Requests for absentee ballots must be in writing and include the correct mailing address, roll number and legal signature of th person making the request.

A referendum budget to determine expenditures of accumulated interest from set-aside funds, as well as election of one business committeeman and three grievance committee members, will also be on the ballot.

Requests for tribal election ballots should be mailed to: Potawatomi Election Committee, P. O. Box 310, Tecumseh, OK 74873.

The filing period for candidates in the 1991 election is April 1, 2 and 3.

TRIBAL TRACTS



Pharmacy will open soon

The tribal pharmacy will be open soon, and tribal officials feel that the savings will be substantial to tribal members and their dependents. Pictured above is the room in the health services building where the pharmacy will be located. Those who are interested in using the pharmacy should send in the following information as soon as possible: 1) Full name, address, phone and roll number; 2) Name of medication and strength; 3) How much you get at a time; 4) The cost of the medicine. Contact Joyce Abel, R.N., Director of Health Services or Cheryl Richardson, Social Services.

Tribal health aid program abuse results in prosecution, restitution

Abuses to the tribal health aids program have resulted in additional scrutiny of applications and some delays when paperwork has not been filled out properly. Tribal administrator Bob Davis said that the tribe is currently prosecuting one tribal member for fraudulent use of health aid funds after the person apparently forged a doctor's signature to endorse the check and cashed it himself. Another tribal member guilty of a similar misuse of funds is making restitution.

Such abuses mean that tribal officials are being extra-careful in processing applications, he said. Many are submitted without the proper doctor's signature, with no date or other errors. Those applications will be returned, Davis said, holding up their approval by at least a month. He cautioned those applying to make sure the forms are filled out completely and correctly. Davis also reminded tribal members that those abusing the program will be prosecuted and that since the money comes from federal funds, could be turned over to the FBI.

More names of people with incorrect address ...

The following names are a continuation of the list of names for which the BIA has no current address. If you are currently receiving the HowNiKan, we have your address.

Immenschuh, Annette Therese
Ivy, Glenda Gay
Jackson, Carla Ann
Jackson, Franklin Lee
Jager, David Lloyd
James, Lynn Harry
Jeffrey, Jessie Bell
Jenkins, Althea
Jenks, Muriel H.
Jennings, Danna Rae
Jennings, Wanda B.
Jeter, Donna J.
Jett, Michael D.
Jines, Daniel Robert
Johnson, Christopher Bruce
Johnson, Clayton Wade
Johnson, Clint Tomey
Johnson, David P. III
Johnson, David Phillip Jr.
Johnson, Dwight N.
Johnson, Howard Gilford III
Johnson, Jack Graham

Johnson, Jerri Lynn
Johnson, Laura Lynn
Johnson, Lloyd B.
Johnson, Sharon Kay
Johnson, Timothy Mark
Jolley, Robert Dale
Jones, Carolyn Sujata
Jones, Kevin Edmond
Jones, Marion Eddie
Jones, Misty Lee
Jones, Preston Thor
Jones, Richard Eugene
Jones, Sherry-Elaine
Jordon, Patricia Erline
Julian, Charles Ray
Julian, David Leslie
Jury, Marjorie Jean
Justus, Gladys Bell
Kane, Joanna Lee
Kapity, Carol Jo
Kastner, David Charles
Kauppi, Jill C.
Keener, Alita Ann
Kekahbah, Paul Samuel
Kellams, Karen Sue
Kelly, Maridon
Kenemore, Margaret Nell
Kenemore, Walter Michael
Kennedy, Cecelia A.

Welcome, new tribal members!

Russler, Samuel James
Spalding, Mark Jason
Spalding, Angela Kae
Smith, Larry Earnest
Dunn, Zachary Thomas
Shaw, Alpha Marie Compton
Knight, Devin John
Knight, Ryan Robert
Holloway, Melody Lynn
Crochet, Monica Louise
Holloway
Powles, Samantha Jordan
Harp, Heather Nichole
Harp, Heath Allen
Robinson, Taylor Bar...
Barrett, Shayna Danielle
Neal, Ronald O'Dell
Neal, Eric Nathaniel
Neal, Glenn Mitchell
Neal, James Glenn Wallace
Neal, Steven Mitchell
Hughey, Elizabeth Mae Wilson
Yott, Samantha Sherwood
Costa, Stefani Nicole
Cleary, Stacie Marie Russler
Russler, Jillian Annette
Bassett, Sierra Nicole
Phifer, Jeffery Ray
Phifer, George Robert
Phifer, Lisa Dawn
Whittington, Debra Denise Phifer
Whittington, Clifford Shane

Phifer, Anna Marie
Phifer, Troy John
Phifer, Nicole Rayleen
Phifer, William Brock
Radtke, Elaine Crystal
Radtke, Lark Anjella
Alley, Darren Wayne
Williams, Matthew Hunter
Doughty, Alisha Dawn
Cartmill, Fallon Gail
Wynns, Paul Lawayne
Bennett, Dillan Michelle
Strickland, James David
Strickland, Tiffany Alexis
Enno, John Joseph Jr.
Enno, Jennifer Lynn
Enno, Jeremy Wayne
Impson, Shayla Dawn
Impson, Brittany Renae
Unsell, Derick Adam
Clifford, Justin Michael
Cunningham, Carrie Leigh
Whistler, Lehman Paul Jr.
Whistler, Rebecca Lynn
Brown, Donnie Lee
Brown, Donna Sue
Rohrig, Shane Michael
Rohrig, Misty Dawn
Turley, Jenny Rene
Bailey, Richard Dean
Bailey, Angela Gail
Bailey, John Michael

Battenberg named to post at Indian Affairs

Secretary of the Interior Manuel Lujan announced that on December 17, 1990, William D. Bettenberg, a 26-year Department employee, was appointed Deputy Assistant Secretary of Indian Affairs.

Bettenberg served for almost five years as Director of Interior's Minerals Management Service (MMS) and as MMS associate director for Offshore Minerals Management. In March of 1990, he was named as a special assistant to Lujan.

Bettenberg began his career at Interior in 1954 as a Bureau of Mines analyst working in automation and redesign of financial management systems. In 1972, he became a program analyst with the Department's Office of Economic Analysis. Two years later in 1974, he became Deputy Director of Interior's Budget Office, and was named Director of that office in 1979. He served as deputy assistant secretary for Policy, Budget and Administration from 1981 to 1983.

Bettenberg was born in Inglewood, California, and grew up in Richland, Washington. He holds a master's degree in political science from the University of Washington, and did additional graduate work in economics and public policy.

He is a charter member of the Senior Executive Service and holds the SES Meritorious and Distinguished Executive Awards. He received the Interior Department's Distinguished Service Award in 1983.

Several scholarships available for Indian students statewide

The Oklahoma Council for Indian Education is announcing applications are available for three scholarships. The OCIE Scholarship is for an Education major only. The Marlene LaClair/Helen Wright Memorial Scholarship is for any college major, and the third scholarship, the John Sam Memorial Scholarship is for graduating high school students.

General eligibility criteria is a completed application, recommendations, a letter of intent, proof of Indian decent, and be Oklahoma residents.

Completed applications need to be sent to: OCIE, 1734 Halley Ave, Norman, OK 73069 or Synda Yellowfish, 215 N. Blvd, Edmond, OK 73034. Or if you wish further information, call (405) 329-3522.

Kennedy, Frank O.
Kennedy, Joe Glen
Kennedy, Mamie
Kennedy, Max Raymond
Kennedy, Roger Allan
Kerwood, Edna Earl
Kessler, Tracey Lee
Ketterman, Marie Antoinette
Kienzle, Marjorie Faye
Kime, Chris David
Kime, Pamela Joyce
Kime, Stephen Randall
Kime, Steve L.
Kime, Tommy Neal
Kimes, Mark Steven
King, Susan Wamego
Kinsell, David Ray
Kinslow, James Neal
Kirchoff, Linda A.
Kitchen, Phyllis Anne
Knapp, Caroline E.
Knowles, Shelly Marie
Koehler, Jean Ann
Kohler, Judy Kay
Kolinsky, Judy M.
Kookan, Michael W.
Krapp, James Leonard
Kreeger, Eva Jane
Kuenstler, Terri Lynne

ADDRESS CHANGE FORM

The following is my current mailing address.

Name: _____
(Include Maiden) (Please Print)

Address: _____

State: _____ Zip Code: _____

Birthdate: _____

Send To:

Citizen Band Potawatomi
Indians Of Oklahoma
1901 Gordon Cooper Dr.
Shawee, OK 74801

Roll No. _____

COMPLETE TEXT OF UNITED STATES SUPREME COURT SYLLABUS & OPINION

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court, but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Lumber Co.*, 200 U.S. 321, 837.

SUPREME COURT OF THE UNITED STATES Syllabus

OKLAHOMA TAX COMMISSION v CITIZEN BAND POTAWATOMI INDIAN TRIBE OF OKLAHOMA CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT No. 89-1322. Argued January 7, 1991 — Decided February 26, 1991

Although, for many years, respondent Indian Tribe has sold cigarettes at a convenience store that it owns and operates in Oklahoma on land held in trust for it by the Federal Government, it has never collected Oklahoma's cigarette tax on these sales. In 1987, petitioner, the Oklahoma Tax Commission (Oklahoma or Commission), served the Tribe with an assessment letter, demanding that it pay taxes on cigarette sales occurring between 1982 and 1986. The Tribe filed suit in the District Court to enjoin the assessment, and Oklahoma counterclaimed to enforce the assessment and to enjoin the Tribe from making future sales without collecting and remitting state taxes. The court refused to dismiss the counterclaims on the Tribe's motion, which was based on the assertion that the Tribe had not waived its sovereign immunity from suit. The court held on the merits that the Commission lacked authority to tax on-reservation sales to tribal members or to tax the Tribe directly, and therefore that the Tribe was immune from Oklahoma's suit to collect past unpaid taxes directly, but that the Tribe could be required to collect taxes prospectively for on-reservation sales to nonmembers. The Court of Appeals reversed, holding, inter alia, that the lower court erred in entertaining Oklahoma's counterclaims because the Tribe enjoys absolute sovereign immunity from suit and had not waived that immunity by filing its action for injunctive relief, and that Oklahoma lacked authority to tax any on-reservation sales, whether to tribesmen or nonmembers.

Held: Under the doctrine of tribal sovereign immunity, a State that has not asserted jurisdiction over Indian lands under Public Law 280 may not tax sales of goods to tribesmen occurring on land held in trust for a federally recognized Indian tribe, but is free to collect taxes on such sales to nonmembers of the tribe. Pp. 3-8.

II OKLAHOMA TAX COMMISSION v POTAWATOMI TRIBE

Syllabus

(a) The Tribe did not waive its inherent sovereign immunity from suit merely by seeking an injunction against the Commission's proposed tax assessment. *United States v. United States Fidelity & Guaranty Co.*, 309 U.S. 506, 511-512, 513. In light of this Court's reaffirmation, in a number of cases, of its longstanding doctrine of tribal sovereign immunity, and Congress' consistent reiteration of its approval of the doctrine in order to promote Indian self-government, self-sufficiency, and economic development, the Court is not disposed to modify or abandon the doctrine at this time. Nor is there merit to Oklahoma's contention that immunity should not apply because the Tribe's cigarette sales do not occur on a formally designated "reservation." Trust land qualifies as a reservation for tribal immunity purposes where, as here, it has been "validly set apart for the use of the Indians as such, under the superintendence of the Government." *United States v. John*, 437 U.S. 634, 648-649. *Mescalero Apache Tribe v. Jones*, 411 U.S. 145, 148-149, which approved nondiscriminatory state taxation of activities on non-reservation, nontrust Government land leased by Indians, is not to the contrary. PP. 3-5.

(b) Nevertheless, the Tribe's sovereign immunity does not deprive Oklahoma of the authority to tax cigarette sales to nonmembers of the Tribe at the Tribe's store, and the Tribe has an obligation to assist in the collection of validly imposed state taxes on such sales. *Moe v. Confederated Salish and Kootenai Tribes*, 425 U.S. 463, 482, 488, *Washington v. Confederated Tribes of Colville Reservation*, 447 U.S. 134. This case is not distinguishable from *Moe* and *Colville* on the ground that Oklahoma disclaimed jurisdiction over Indian lands upon entering the Union and did not reassert jurisdiction over civil causes of action in such lands as permitted by Public Law 280. Neither of those cases depended on the assertion of such jurisdiction by the State in question, and it is simply incorrect to conclude that the Public Law was the essential (yet unspoken) basis for the Court's decision in *Colville*. Although the Tribe's sovereign immunity bars Oklahoma from pursuing its most efficient remedy — a lawsuit — to enforce its rights, adequate alternatives may exist, since individual Indians employed in "smoke-shops" may not share tribal immunity, and since States are free to collect their sales taxes from cigarette wholesalers or to enter into mutually satisfactory agreements with tribes for the collection of taxes. If these alternatives prove to be unsatisfactory, States may seek appropriate legislation from Congress. Pp. 6-8.

888 F. 2d 1303, affirmed in part and reversed in part.

Rehnquist, C. J., delivered the opinion for a unanimous Court. Stevens, J., filed a concurring opinion.

NOTICE: This opinion is subject to formal revision before publication in the preliminary print of the United States Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D. C., of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.

SUPREME COURT OF THE UNITED STATES No. 89-1822

OKLAHOMA TAX COMMISSION, PETITIONER v. CITIZEN BAND POTAWATOMI INDIAN TRIBE OF OKLAHOMA ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT (February 26, 1991)

CHIEF JUSTICE REHNQUIST delivered the opinion of the Court.

The issue presented in this case is whether a State that has not asserted jurisdiction over Indian lands under Public Law 280 may validly tax sales of goods to tribesmen and nontribal members occurring on land held in trust for a federally recognized Indian tribe. We conclude that under the doctrine of tribal sovereign immunity, the State may not tax such sales to Indians, but remains free to collect taxes on sales to non-tribal members.

Respondent, the Citizen Band Potawatomi Indian Tribe of Oklahoma (Potawatomi or Tribe), owns and operates a convenience store in Oklahoma on land held in trust for it by the Federal Government. For many years, the Potawatomi have sold cigarettes at the convenience store without collecting Oklahoma's state cigarette tax on these sales. In 1987, petitioner, the Oklahoma Tax Commission (Oklahoma or Commission), served the Potawatomi with an assessment letter, demanding that they pay \$2.7 million for taxes on cigarette sales occurring between 1982 and 1986. The Potawatomi filed suit to enjoin the assessment in the United States District Court for the Western District of Oklahoma.

Oklahoma counterclaimed, asking the District Court to enforce its \$2.7 million claim against the Tribe and to enjoin the Potawatomi from selling cigarettes in the future without collecting and remitting state taxes on those sales. The Potawatomi moved to dismiss the counterclaim on the ground that the Tribe had not waived its sovereign immunity, and therefore could not be sued by the State. The District Court denied the Potawatomi's motion to dismiss and proceeded to trial. On the merits, the District Court concluded that the Commission lacked the authority to tax the on-reservation cigarette sales to tribal members or to tax the Tribe directly. It held, therefore, that the Tribe was immune from Oklahoma's suit to collect past unpaid taxes directly from the Tribe. Nonetheless, the District Court held that Oklahoma could require the Tribe to collect taxes prospectively for on-reservation sales to nontribal members. Accordingly, the court ordered the Tribe to collect taxes on sales to nontribal members, and to comply with all statutory recordkeeping requirements.

The Tribe appealed the District Court's denial of its motion to dismiss, and the court's order requiring it to collect and remit taxes on sales to nontribal members. The United States Court of Appeals for the Tenth Circuit reversed. 888 F. 2d 1303 (1989). That court held that the District Court erred in entertaining Oklahoma's counterclaims because the Potawatomi enjoy absolute sovereign immunity from suit, and had not waived that immunity by filing an action for injunctive relief. The Court of Appeals further held that Oklahoma lacked the authority to impose a tax on any sales that occur on the reservation, regardless of whether they are to tribesmen or nontribal members. It concluded that "because the convenience store is located on land over which the Potawatomi retain sovereign powers, Oklahoma has no authority to tax the store's transactions unless Oklahoma has received an independent jurisdictional grant of authority from Congress." *Id.*, at 1306. Finding no independent jurisdictional grant of authority to tax the Potawatomi, the Court of Appeals ordered the District Court to grant the Potawatomi's request for an injunction.

We granted certiorari to resolve an apparent conflict with this Court's precedents and to clarify the law of sovereign immunity with respect to the collection of sales taxes on Indian lands. 498 U.S. — (1990). We now affirm in part and reverse in part.

Indian tribes are "domestic dependent nations," which exercise inherent sovereign authority over their members and territories. *Cherokee Nation v. Georgia*, 5 Pet. 1, 17 (1831). Suits against Indian tribes are thus barred by sovereign immunity absent a clear waiver by the tribe or congressional abrogation. *Santa Clara Pueblo v. Martinez*, 436 U.S. 49, 58 (1978). Petitioner acknowledges that Indian tribes generally enjoy sovereign immunity, but argues that the Potawatomi waived their sovereign immunity by seeking an injunction against the Commission's proposed tax assessment. It argues that, to the extent that the Commission's counter-claims were "compulsory" under Federal Rule of Civil Procedure 13(a), the District Court did not need any independent jurisdictional basis to hear those claims.

We rejected an identical contention over a half-century ago in *United States v. United States Fidelity & Guaranty Co.*, 309 U.S. 506, 511-512 (1940). In that case, a surety bond-holder claimed that a federal court had jurisdiction to hear its state-law counterclaim against an Indian tribe because the tribe's initial action to enforce the bond constituted a waiver of sovereign immunity. We held that a tribe does not waive its sovereign immunity from actions that could not otherwise be brought against it merely because those actions were pleaded in a counterclaim to an action filed by the tribe. *Id.*, at 513. "Possessing ... immunity from direct suit, we are of the opinion [the Indian nations] possess a similar immunity from cross-suits." *Ibid.* Petitioner does not argue that it received congressional authorization to adjudicate a counter-claim against the Tribe, and the case is therefore

controlled by *Fidelity & Guaranty*. We uphold the Court of Appeals' determination that the Tribe did not waive its sovereign immunity merely by filing an action for declaratory relief.

Oklahoma offers an alternative, and more far-reaching, basis for reversing the Court of Appeals' dismissal of its counterclaims. It urges this Court to construe more narrowly, or abandon entirely, the doctrine of tribal sovereign immunity. Oklahoma contends that the tribal sovereign immunity doctrine impermissibly burdens the administration of state tax laws. At the very least, petitioner proposes that the Court modify *Fidelity & Guaranty*, because tribal business activities such as cigarette sales are now so detached from traditional tribal interests that the tribal-sovereignty doctrine no longer makes sense in this context. The sovereignty doctrine, it maintains, should be limited to the tribal courts and the internal affairs of tribal government, because no purpose is served by insulating tribal business ventures from the authority of the States to administer their laws.

A doctrine of Indian tribal sovereign immunity was originally enunciated by this Court, and has been reaffirmed in a number of cases. *Turner v. United States*, 248 U.S. 354, 358 (1919); *Santa Clara Pueblo v. Martinez*, *supra*, at 58. Congress has always been at liberty to dispense with such tribal immunity or to limit it. Although Congress has occasionally authorized limited classes of suits against Indian tribes, it has never authorized suits to enforce tax assessments. Instead, Congress has consistently reiterated its approval of the immunity doctrine. See e.g., Indian Financing Act of 1974, 88 Stat. 77, 25 U.S.C. § 1451 *et seq.*, and the Indian Self-Determination and Education Assistance Act, 88 Stat. 2203, 25 U.S.C. § 450 *et seq.* These Acts reflect Congress' desire to promote the "goal of Indian self-government, including its 'overriding goal' of encouraging tribal self-sufficiency and economic development." *California v. Cabazon Band of Mission Indians*, 480 U.S. 202, 216 (1987). Under these circumstances, we are not disposed to modify the long-established principle of tribal sovereign immunity.

Finally, Oklahoma asserts that even if sovereign immunity applies to direct actions against tribes arising from activities on the reservation, that immunity should not apply to the facts of this case. The State contends that the Potawatomi's cigarette sales do not, in fact, occur on a "reservation." Relying upon our decision in *Mescalero Apache Tribe v. Jones*, 411 U.S. 145 (1973), Oklahoma argues that the tribal convenience store should be held subject to State tax laws because it does not operate on a formally designated "reservation," but on land held in trust for the Potawatomi. Neither *Mescalero* nor any other precedent of this Court has ever drawn the distinction between tribal trust land and reservations that Oklahoma urges. In *United States v. John*, 437 U.S. 634 (1978), we stated that the test for determining whether land is Indian country does not turn upon whether that land is denominated "trust land" or "reservation." Rather, we ask whether the area has been "validly set apart for the use of the Indians as such, under the superintendence of the Government," *Id.*, at 648-649; see also *United States v. McGowan*, 302 U.S. 535, 539 (1938).

Mescalero is not to the contrary, that case involved a ski resort outside of the reservation boundaries operated by the tribe under a 30-year lease from the Forest Service. We said that "[a]bsent express federal law to the contrary, Indians going beyond reservation boundaries have generally been held subject to nondiscriminatory state law otherwise applicable to all citizens of the State." 411 U.S., at 148-149. Here, by contrast, the property in question is held by the Federal Government in trust for the benefit of the Potawatomi. As in *John*, we find that this trust land is "validly set apart" and thus qualifies as a reservation for tribal immunity purposes. 437 U.S., at 649.

Oklahoma attacks the conclusion of the Court of Appeals that the sovereign immunity of the Tribe prevents it from being liable for the collection of state taxes on the sale of cigarettes to nonmembers of the Tribe. The Tribe, in turn, argues that this issue is not properly before us. It observes that the only issue presented in its prayer for an injunction was whether Oklahoma could require it to pay the challenged assessment for previously uncollected taxes. The complaint did not challenge Oklahoma's authority to require the Tribe to collect the sales tax prospectively, and thus, the Tribe argues, that question was never put in issue.

We do not agree. The Tribe's complaint alleged that Oklahoma lacked authority to impose a sales tax directly upon the Tribe. The District Court held that the Tribe could be required to collect the tax on sales to nonmembers. The Court of Appeals reversed the decision of the District Court on this point. While neither of these courts need have reached that question, they both did. The question is fairly subsumed in the "questions presented" in the petition for certiorari, and both parties have briefed it. We have the authority to decide it, and proceed to do so. See *Vance v. Terrazas*, 444 U.S. 252, 258-59, n. 5 (1980).

Although the doctrine of tribal sovereign immunity applies to the Potawatomi, that doctrine does not excuse a tribe from all obligations to assist in the collection of validly imposed state sales taxes. *Washington v. Confederated Tribes of Colville Reservation*, 447 U.S. 184 (1980). Oklahoma argues that the Potawatomi's tribal immunity notwithstanding, it has the authority to tax sales of cigarettes to nontribal members at the Tribe's convenience store. We agree. In *Moe v. Confederated Salish and Kootenai Tribes*, 425 U.S. 463 (1976), this Court held that Indian retailers on an Indian reservation may be required to collect all state taxes applicable to sales to non-Indians. We determined that requiring the tribal seller to collect these taxes was a minimal burden justified by the State's interest in assuring the payment of these concededly lawful taxes. *Id.*, at 483. "Without the simple expedient of having the retailer collect the sales tax from non-Indian purchasers, it is clear that wholesale violations of the law by the later sales will go virtually unchecked." *Id.*, at 482. Only four years later we reiterated this view, ruling that tribal sellers are obliged to collect and remit state taxes on sales to nontribal members at Indian smoke-shops on reservation lands. *Colville*, *supra*.

The Court of Appeals thought this case was distinguishable from *Moe* and *Colville*. It observed the State of Washington had asserted jurisdiction over civil causes of action in Indian country as permitted by Public Law 280. Pub. L. 83-280, 67 Stat. 588. The court contrasted *Colville* to this case, in which Oklahoma disclaimed jurisdiction over Indian lands upon entering the Union and did not reassert jurisdiction over these lands pursuant to Public Law 280. The Court of Appeals concluded that because Oklahoma did not elect to assert jurisdiction under Public Law 280, the Potawatomi were immune from any requirement of Oklahoma state tax law.

Neither *Moe* nor *Colville* depended upon the State's assertion of jurisdiction under Public Law 280. Those cases stand for the proposition that the doctrine of tribal sovereign immunity does not prevent a State from requiring Indian retailers doing business on tribal reservations to collect a state-imposed cigarette tax on their sales to nonmembers of the Tribe. *Colville*'s only reference to Public Law 280 relates to a concession that the statute did not furnish a basis for taxing sales to tribe members. 447 U.S., at 142, n.8. Public Law 280 merely permits a State to assume jurisdiction over "civil causes of action" in Indian country. We have never held that Public Law 280 is independently sufficient to confer authority on a State to extend the full range of its regulatory authority, including taxation, over Indians and Indian reservations. *Bryan v. Itasca County*, 426 U.S. 373 (1976); see also *Rice v. Rehner*, 463 U.S. 713, 734, n. 18 (1983); *Cabazon*, 480 U.S. at 208-210, and n.8. Thus, it is simply incorrect to conclude that Public Law 280 was the essential (yet unspoken) basis for this court's decision in *Colville*.

In view of our conclusion with respect to sovereign immunity of the Tribe from suit by the State, Oklahoma complains that, in effect, decisions such as *Moe* and *Colville* give them a right without any remedy. There is no doubt that sovereign immunity bars the State from pursuing the most efficient remedy, but we are not persuaded that it lacks any adequate alternatives. We have never held that individual agents or officers of a tribe are not liable for damages in actions brought by the State. See *Ex parte Young*, 209 U.S. 123 (1908). And under today's decision, States may of course collect the sales tax from cigarette wholesalers, either by seizing unstamped cigarettes off the reservation, *Colville*, *supra*, at 161-162, or by assessing wholesalers who supplied unstamped cigarettes to the tribal stores, *City Vending of Muskogee, Inc. v. Oklahoma Tax Comm'n*, 898 F. 2d 122 (CA10 1990). States may also enter into agreements with the tribes to adopt a mutually satisfactory regime for the collection of this sort of tax. See 48 Stat. 987, as amended, 25 U.S.C. § 476. And if Oklahoma and other States similarly situated find that none of these alternatives produce the revenues to which they are entitled, they may of course seek appropriate legislation from Congress.

The judgment of the Court of Appeals is accordingly

Affirmed in part and reversed in part.

JUSTICE STEVENS, concurring.

The doctrine of sovereign immunity is founded upon an anachronistic fiction. See *Nevada v. Hall*, 440 U.S. 410, 414-416 (1979). In my opinion all Governments — federal, state, and tribal — should generally be accountable for their illegal conduct. The rule that an Indian tribe is immune from an action for damages absent its consent is, however, an established part of our law. See *United States v. United States Fidelity & Guaranty Co.*, 309 U.S. 506, 512-513 (1940). Nevertheless, I am not sure that the rule of tribal sovereign immunity extends to cases arising from a tribe's conduct of commercial activity outside its own territory, cf. 28 U.S.C. § 1605(a) ("A foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case ... (2) in which the action is based upon a commercial activity carried on in the United States by a foreign state ..."), or that it applies to claims for prospective equitable relief against a tribe, cf. *Edelman v. Jordan*, 415 U.S. 651, 664-665 (1974) (Eleventh Amendment bars suits against States for retroactive monetary relief, but not for prospective injunctive relief).

In analyzing whether the Citizens Band Potawatomi Indian Tribe can be held prospectively liable for taxes on the sale of cigarettes, the Court today in effect acknowledges limits to a tribe's sovereign immunity, although it does not do so explicitly. The Court affirms the Court of Appeals' holding that the Oklahoma Tax Commission's counterclaim against the Tribe was properly dismissed on grounds of the Tribe's sovereign immunity, but then proceeds to address the precise question raised in the counterclaim — whether the Tribe in the future can be assessed for taxes on its sales of cigarettes. The Court indulges in this anomaly by reasoning that the issue of the Tribe's prospective liability "is fairly subsumed" in the Tribe's main action seeking to have the Tax Commission enjoined from collecting back taxes. See *ante*, at 6.

In my opinion, however, the issue of prospective liability is properly presented only in the Tax Commission's counter-claim. It is quite possible to decide that the Tribe cannot be liable for past sales taxes which it never collected without going on to decide whether the Tax Commission may require the Tribe to collect state taxes on its sales in the first place. In my opinion the Court correctly reaches the issue of the Tribes' prospective liability and correctly holds that the State may collect taxes on tribal sales to non-Indians. My purpose in writing separately is to emphasize that the Court's holding in effect rejects the argument that this governmental entity — the Tribe — is completely immune from legal process. By addressing the substance of the Tax Commission's claim for prospective injunctive relief against the Tribe, the Court today recognizes that a tribe's sovereign immunity from actions seeking money damages does not necessarily extend to actions seeking equitable relief.

In Your Opinion...

Phoenix meeting enjoyed

Dear Friends at HowNiKan:

We so enjoyed the Regional Council meeting held January 12th in Phoenix. It was not only a family reunion of family we don't see too often but very informative. I would especially thank Esther Lowden who made the lovely shawl presented to the oldest Potawatomi lady, Lillian Mimnaugh, at the "Lewis" table. My most sincere thanks. Also appreciate the HowNiKan very much.

Lillian Mimnaugh
Apache Junction, AZ

Time, support appreciated

John Lair
Golf Pro - Firelake Golf Course

Dear Sir:

I would like to take this opportunity to let you know how important you and Firelake are to the Shawnee Junior High Golf Program. This past weekend you allowed fifteen coaches to meet at Firelake Golf Course, play an eighteen hole scramble and then have an hour long meeting afterwards to schedule duals and tournaments for the 1991 season. Your staff was very professional and every coach commented on how well they were treated. They also stated that the course was in excellent shape, getting ready for spring, and the new pond on the back nine will make the course even more competitive. One coach suggested that you change the name of the course from Firelake to Whitelake because of all the balls given up in the water.

I also wish to thank you in advance for allowing Shawnee Junior High School to host a golf tournament on April 4th. It takes a lot of time and patience to deal with junior high students and when you have eighteen teams with five members to a team plus one or two coaches per team, it can really be a problem.

One last thing, your staff bent over backwards to assist me with my golfers in the clubhouse and on the course. They have helped prepare several golfers for a future that will enable them to enjoy golf as a recreation and maybe even a major sport.

Again, thank you for the time, cooperation and support that you give to our school. It is truly appreciated.

Sincerely,
Larry G. Brown
Junior High Golf Coach
Shawnee Public Schools

St. Mary's very interesting

How-Ni-Kan:

I would like to thank you for your very interesting articles of historical value in each issue. The excerpts from St. Mary's by the Lake are very interesting to me, since my roots are in the Kansas reservation area. As we research our genealogy, these excerpts bring a closer feeling of the thoughts and living conditions of those days.

My father was Louis Vandiver Burns and through the French Connection, we trace our ancestry through our paternal grandmother Julia Ellen Navarre, to the brother of King Henry IV of France, and beyond in French royal history.

Our Indian connection was through Pierre Navarre, with his marriage to Angelique of Pokagon's band near South Bend, Ind. Her Indian name has been spelled different in various publications, Kechoueckouay, or Kes-he-wa-quay, or Kinsnaahquah as listed in the Mormon Temple records placed there by her Mormon son Anthony.

The Treaty of 1832 in the January issue listed Pierre's children as receiving \$100 "payment" for their lands in Indiana as the tribe was to be moved west of the Mississippi River, which did not actually occur until 1840.

What sparked this letter, was the names of persons who were active participants from the government who signed the Treaty. The most active name was R. A. Forsyth, U. S. Army. I note that under schedule A he received \$3000, and another \$3000 under schedule B, for the land he apparently owned. He was also a trustee for a number of persons totaling \$4700 under both schedules, and a Jane Forsyth also received \$3000, and Thomas Forsyth received 1500, apparently for land they owned.

Another government man was a Gholson Kercheval, sub-agent, who was trustee for \$1600, and a Maria Kercheval who received \$3000 for land she owned. B.B. Kercheval received \$1500 on land he owned and was trustee for \$1200. I assume Maria was Indian and B.B. was their son. (?)

Two more men were John Kinze who received \$5000 for owned land and was trustee for \$600, and Robert A. Kinze who received \$5000 for land he owned.

It seems that most of the large payments were to names in the "establishment". Is there any history buffs among your readers who might know why? Also, who was R.A. Forsyth, for I see him listed in several other treaties of that period.

Give our regards to our "kissing" cousin, Linda (Navarre) Capps. Please find \$10.00 to help with the How-Ni-Kan publishing, and keep up the good work. We look forward to each issue with anticipation, and especially the Denver meeting, where we have found, like Linda, other "kissing" cousins.

Dorothy (Burns) and D.K. Spencer
Rocky Ford, CO 81067



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NATIONAL NEWS

New budget establishes Tribal Horizons program

Interior's Assistant Secretary for Indian Affairs, Eddie F. Brown said the President's fiscal year 1992 budget request of \$1.9 billion for the Bureau of Indian Affairs (BIA) builds upon the foundation established last year by President Bush and Secretary Lujan to reform the delivery of key social, financial, and natural resources programs to American Indians.

"The President's budget establishes a new program entitled Tribal Horizons that is designed to improve management of Interior-sponsored Indian programs, enhance educational opportunities for American Indians and support tribal self-determination," Brown stated.

The Tribal Horizons initiative focuses on three major areas in Indian programs - management improvement, education, and Indian self-determination. Funding increases within the overall BIA budget for these special areas total \$105.7 million, including \$72.5 million in self-determination, \$24.5 million in education, and \$8.7 million in management improvement.

Current appropriations in the President's budget for the operation of Indian programs total \$1.400 billion, compared to \$1.559 billion enacted in 1991.

An additional \$2 million is requested in departmental support for the Bureau's management improvement initiative. That support will be in the form of: \$1.2 million for the Office of American Indian Trust to develop an inventory of trust assets managed by BIA and to conduct trust resources reviews in order to ensure the effectiveness of the trust management program; \$100,000 increase in the Office of Self-Governance which will serve as coordination point for the self-governance demonstration projects; \$500,000 for the Office of Audit and Evaluation to provide an independent and flexible means for carrying out internal audits and evaluations of BIA programs; and \$200,000 to strengthen the management capability of the assistant secretary's office.

Direct BIA funding for management improvement includes increases of \$4 million to address previously identified and recently surfaced management problems; \$1.8 million to convert to the new Federal Finance System accounting operation; \$100,000 for accountant training; \$500,000 for financial trust services; \$200,000 for training of contracting officers; and \$100,000 for total quality management.

The \$15.6 million increase requested for BIA school operations includes \$4 million in Education 2000 grants for projects designed to raise the educational achievement level of Indian students in BIA-funded schools to levels that meet or exceed national norms by the year

Reservation faces measles epidemic

(From *The Navajo Times*, Feb. 28, 1991) — The Navajo Reservation is now facing a massive measles epidemic, the worse in decades, according to officials for the Indian Health Service.

"Measles are extremely rare. One case is considered an outbreak," she said.

While there have been some deaths reported because of the disease in Pennsylvania, Milligan said that none of the victims here have died, although 12 have had to be hospitalized.

Forty-four percent of the cases have been diagnosed in children under one year of age, which is not surprising since children do not usually get their measles vaccination until the age of 15 months.

Milligan said another 20 percent of the victims of the disease are over 20 years of age.

IHS officials have said they are not sure why the outbreak has occurred since many of the ones who catch the disease have been immunized. Milligan said that doctors think that the type of vaccination used for the disease after 1957 may not have been as lasting as originally thought.

"Right now all of our attention is on treating those who have it and getting anyone who has come in contact with them immunized again. We're looking into the cause and soon hope we have it under control," she said.

2000. Early childhood development programs will be increased by \$1.9 million; funding for the operation of BIA schools under the Indian School Equalization Formula (ISEF) will increase by \$6 million; a \$1.7 million increase is requested for the management of education programs; and an additional \$5 million is requested for the rehabilitation of BIA schools, which will bring the total funding in this area to \$35 million.

Indian self-determination increases are aimed at meeting locally-determined service needs. Decision-making will be shifted away from Washington to the local level which will provide increased flexibility and resources to meet reservation-specific goals and priorities. The \$72.5 million increase creates a \$10 million pilot grant program to allow selected tribes greater control over resources to enhance community and economic development on their reservations. Tribal governments will compete for the funds by designing long range plans along with an annual action agenda.

A \$42.8 million increase in the Indian Priority System (IPS), under which funding priorities for programs are established at the reservation and agency levels, provides for more funds to meet basic service needs. Self-determination grants are being increased by \$9 million to allow tribes to design and administer a wider array and more complex set of programs for improving tribal governmental capabilities. An additional \$10.6 million in the Indian Child Welfare grant program, for a total of \$20 million, allow funds to be distributed to tribes under a formula-based on tribal populations of children. This formula approach is a much more stable way to fund long term programs. Tribes will develop four-year plans for programs to prevent child abuse and neglect. The grant funds will also be available for day-care operations, parent training, legal representation of children, development and implementation of welfare codes, temporary child custody, and other intervention and prevention activities.

Plains Indian pit could become major attraction

Wyoming - An archaeological site found by workers drilling preparation for Interstate 90 could draw tourists off that highway and become a major attraction, according to a University of Wyoming professor.

In the vision of Charles Reher, the huge pit that Plains Indians stampeded buffalo into could be turned into a \$5 million archaeological site complete with a museum and domed visitor area.

However, Reher acknowledges money could be a problem.

If funding could be arranged, the site donated by the Vore family of Crook County to the university could also include an information area, laboratories and ramps leading into the excavations, he said.

Based on comparisons with similar projects in Canada, Colorado and

South Dakota. Reher projects some 50,00 to 60,000

people would visit the site each year, concluding that museum and souvenir shop revenues could easily cover operating costs.

The site has held the interest of archaeologists since 1969, when highway crews doing core drilling for Interstate 90 came up with bone in the sample. Since that time, several thousand artifacts have been removed, including rock arrowheads that have shown the scientists where the tribes using the site came from, Reher said.

Because it was used for four centuries, the jump holds some 20 different levels of bones "stacked like a layer cake," he said. Once the bones are studied and tested, scientists will have an idea when the jump was used.

They will also be able to learn about climate conditions from the pond found at the bottom of the site. Yearly silt levels are like tree rings and research can show which years were wet and which dry, Reher said.

Classroom reading teaches authentic Indian legends

A new series of classroom reading books, designed to teach both reading and traditional Native American values, is now available. One hundred short books in six reading levels present authenticated Indian legends and contemporary stories of interest to all students. Four teacher's guides give cultural background information, objectives and rationale. The activities are designed to help students learn how to think, rather than what to think. The series presents excellent cross-cultural opportunities, improves classroom participation and makes reading uniquely enjoyable for students. "These stories once taught us how to live and were the basis of moral and social instruction passed down from elders to youth," says Glen Raymond, a Colville Indian from Nespelem, Washington. "All of the story content has been researched, written and illustrated by American Indians". Raymond is publishing the series in a highly-successful effort that integrates Indian culture with public school curriculum much needed in schools serving Indian students.

Educational experts agree. "This series is the most comprehensive curriculum development ever in this country in terms of Indian materials," states Robin Butterfield of the State Dept. of Education in Oregon. "It integrates culture into the reading curriculum, which has seldom been done." Schools are finally beginning to realize the importance of including culture into the curriculum. "Educators have long agreed that a good curriculum is always child centered. . . It is sensible that children belonging to different cultural environments require special learning materials and strategies designed to meet their particular needs," says Joseph Coburn of the Pacific Northwest Regional Educational Laboratory in Portland, Oregon, and director of the laboratory's Pacific Northwest Indian Reading and Language Development Program, under which the Indian Reading Series was developed.

In the program, researchers field-tested the series with

over 1,200 Indian and non-Indian children in 93 classrooms. Overwhelmingly-positive responses to questionnaires were also collected from across the United States and Canada, and researchers made direct observations in 19 Oregon public school classrooms where the series was tested. Not only was the series a success as a reading enrichment curriculum, educators noted valuable uses in social studies, language arts, art and culture programs. The books would be a valuable addition to any library. The materials provide "high interest" reading and would definitely promote learning for any child. Project ME-DIA, The National Indian Education Association.

The Indian Reading Series is available now. For information and a brochure, write: Indian Vision, Box 42, Coulee Dam, Washington 99116, or call: 509-633-2193.

Directory lists minority group programs and organizations

Thousands of programs especially developed to help minorities are described in the newly published Fifth Edition of the Directory of Special Programs for Minority Group Members.

The directory cites more than 4,000 programs offered by nearly 3,000 organizations.

Among the organizations sponsoring programs are professional and trade associations, federal and state agencies, colleges and universities, minority groups and private scholarship foundations.

The directory lists 1,085 programs offering financial aid for graduate or undergraduate study, 170 summer employment and special training programs, 115 job placement or employment skills banks, and 120 employment training programs.

The book costs \$30 and is available from the Garrett Park Press, P.O. Box 190, Garrett Park, MD 20896. Call (301)946-2553.

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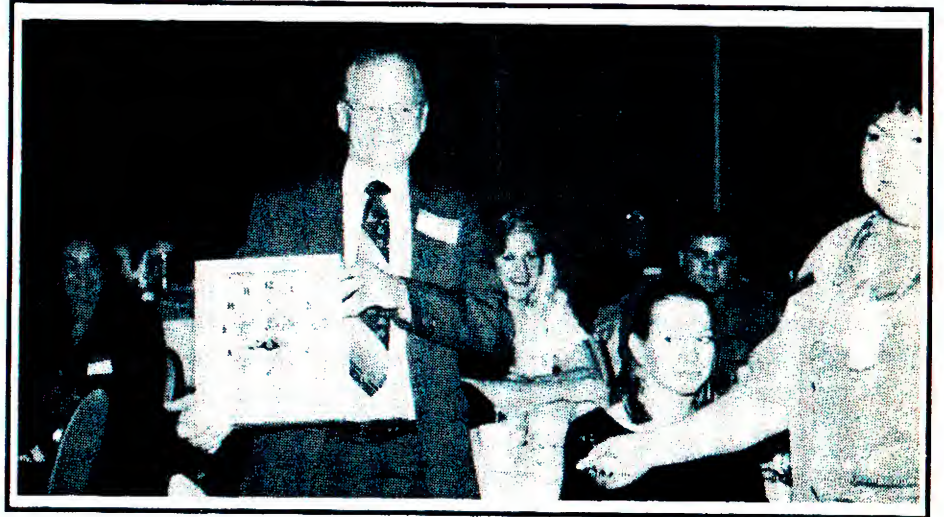
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C.B. Hitt
Proceso Castaneda
Corina German
Martha German
Carolina German
Mary M. Brophy
Joan Imel
David French



C.B. Hitt was given a clock for traveling farthest.



Fannie Long, 86, received a shawl for being the oldest and wisest at the meeting.



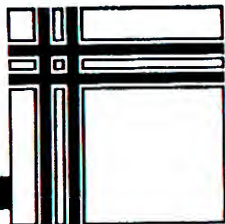
Chairman John Barrett holds
youngest tribal member present,
4½ month old Steven David Vargas.
He was given a red satin jacket.



Tribal member
Jeremy Bertrand
French displays
handmade a pipe
and explains the
tribal traditions
related to it.

Guests

Don Haver	Micah Yates
Tim Haver	Megan Yates
Dorothy Haver	Josh Yates
Mike Gretler	Cassie Yates
Matthew Day	Eric Yates
Andrew Day	Avis DeLonais
Shannon Day	Lisa Gann
Joan Hackler	Michael Machuzak
Brenda Miller	Kristy Finkle
Jim Fox	Grace Miller
Josie Pryor	Sara Palumbo
Jane Kinsley	Joseph N. Palumbo
Blythe Whittall	Chuck Foster
Mike Maron	Ruth Stolz
Richard Mangold	Ysabel Castaneda
Mike Baird	Ysabel M. Castaneda
Dean Campbell	Frank A. Castaneda
Marcia Pearce	Donny Castaneda
Vince Correll	Ruth Vargas
Janet Correll	Christina Vargas
Mrs. Terry N. Taylor	Candice Vargas
Rhonda Schartz	Hope B. Gonzales
Louis Ogee	Joyce Hatch
Paula Ogee	Janet Stangl
Sandra Pambogo	Stella Nelson
Linda Borgens	Steven Jensen
Brian Harvey	Robert Sousa
Helen M. Higbee	Mindy Reeves
Edna Ogee	Dono Rescina
Darrin DeCuir	Lyn Kindt
Kevin Pearce	Jennifer Cairon
Patricia Pearce	Carrie L. Cunningham
Shayleen Thompson	C.L. Brophy
Tiffany Pryor	Nannette French
	Yvonne Espinosa



TREATIES: *Treaty with the Potawatomi, 1861*

Articles of a treaty made and concluded at the agency on the Kansas river, on the fifteenth day of November, in the year of our Lord one thousand eight hundred and sixty-one, by and between Wm. W. Ross, commissioner on the part of the United States, and the undersigned chiefs, braves, and head-men of the Pottawatomie Nation, on behalf of said nation.

ARTICLE 1. The Pottawatomie tribe of Indians believing that it will contribute to the civilization of their people to dispose of a portion of their present reservation in Kansas, consisting of five hundred and seventy-six thousand acres, which was acquired by them for the sum of \$87,000, by the fourth article of the treaty between the United States and the said Pottawatomies, proclaimed by the President of the United States on the 23d day of July, 1846, and to allot lands in severalty to those of said tribe who have adopted the customs of the whites and desire to have separate tracts assigned to them, and to assign a portion of said reserve to those of the tribe who prefer to hold their lands in common: it is therefore agreed by the parties hereto that the Commissioner of Indian Affairs shall cause the whole of said reservation to be surveyed in the same manner as the public lands are surveyed, the expense whereof shall be paid out of the sales of lands hereinafter provided for, and the quantity of land hereinafter provided to be set apart to those of the tribe who desire to take their lands in severalty, and the quantity hereinafter provided to be set apart for the rest of the tribe in common; and the remainder of the land, after the special reservations hereinafter provided for shall have been made, to be sold for the benefit of said tribe.

ARTICLE 2. It shall be the duty of the agent of the United States for said tribe to take an accurate census of all the members of the tribe, and to classify them in separate lists, showing the names, ages, and numbers of those desiring lands in severalty, and of those desiring lands in common, designating chiefs and head-men, respectively; each adult choosing for himself or herself, and each head of a family for the minor children of such family, and the agent for orphans and persons of an unsound mind. And thereupon there shall be assigned, under the direction of the Commissioner of Indian Affairs, to each chief at the signing of the treaty, one section; to each head-man, one half section; to each other head of a family, one quarter section; and to each other person eighty acres of land, to include, in every case, as far as practicable, to each family, their improvements and a reasonable portion of timber, to be selected according to the legal subdivision of survey. When such assignments shall have been completed, certificates shall be issued by the Commissioner of Indian Affairs for the tracts assigned in severalty, specifying the names of the individuals to whom they have been assigned, respectively, and that said tracts are set apart for the perpetual and exclusive use and benefit of such assignees and their heirs. Until otherwise provided by law, such tracts shall be exempt from levy, taxation, or sale, and shall be alienable in fee or leased or otherwise disposed of only to the United States, or to persons then being members of the Pottawatomie tribe and of Indian blood, with the permission of the President, and under such regulations as the Secretary of the Interior shall provide, except as may be hereinafter provided. And on receipt of such certificates, the person to whom they are issued shall be deemed to have relinquished all right to any portion of the lands assigned to others in severalty, or to a portion of the tribe in common, and to the proceeds of sale of the same whensoever made.

ARTICLE 3. At any time hereafter when the President of the United States shall have become satisfied that any adults, being males and heads of families, who may be allottees under the provisions of the foregoing article, are sufficiently intelligent and prudent to control their affairs and interests, he may, at the request of such persons, cause the lands severally held by them to be conveyed to them by patent in fee-simple, with power of alienation; and may, at the same time, cause to be paid to them, in cash or in the bonds of the United States, their proportion of the cash value of the credits of the tribe, principal and interest, then held in trust by the United States, and also,

as the same may be received, their proportion of the proceeds of the sale of lands under the provisions of this treaty. And on such patents being issued and such payments ordered to be made by the President, such competent persons shall cease to be members of said tribe, and shall become citizens of the United States; and thereafter the lands so patented to them shall be subject to levy, taxation, and sale, in like manner with the property of other citizens: *Provided*, That before making any such application to the President, they shall appear in open court in the district court of the United States for the district of Kansas, and make the same proof and take the same oath of allegiance as is provided by law for the naturalization of aliens, and shall also make proof to the satisfaction of said court that they are sufficiently intelligent and prudent to control their affairs and interests, that they have adopted the habits of civilized life, and have been able to support, for at least five years, themselves and families.

ARTICLE 4. To those members of said tribe who desire to hold their lands in common there shall be set apart an undivided quantity sufficient to allow one section to each chief, one half section to each head-man, and one hundred and sixty acres to each other head of a family, and eighty acres of land to each other person, and said land shall be held by that portion of the tribe for whom it is set apart by the same tenure as the whole reserve has been held by all of said tribe under the treaty of one thousand eight hundred and forty-six. And upon such land being assigned in common, the persons to whom it is assigned shall be held to have relinquished all title to the lands assigned in severalty and in the proceeds of sales thereof whenever made.

ARTICLE 5. The Pottawatomies believing that the construction of the Leavenworth, Pawnee, and Western Railroad from Leavenworth City to the western boundary of the former reserve of the Delawares, is now rendered reasonably certain, and being desirous to have said railroad extended through their reserve in the direction of Fort Riley, so that the value of the lands retained by them may be enhanced, and the means afforded them of getting the surplus product of their farms to market, it is provided that the Leavenworth, Pawnee, and Western Railroad company shall have the privilege of buying the remainder of their lands within six months after the tracts herein otherwise disposed of shall have been selected and set apart, provided they purchase the whole of said surplus lands at the rate of one dollar and twenty-five cents per acre.

And if said company make such purchase it shall be subject to the considerations following, to wit: They shall construct and fully equip a good and efficient railroad from Leavenworth City to a point half way between the western boundary of the said former Delaware reserve and the western boundary of the said Pottawatomie reserve, (being the first section of said road,) within six years from the date of such purchase, and shall construct and fully equip such road from said last-named point to the western boundary of said Pottawatomie reserve, (being the second section of said road,) within three years from the date fixed for the completion of said first section; and no patent or patents shall issue to said company or its assigns for any of said lands purchased until the first section of said railroad shall have been completed and equipped, and then for not more than half of said lands, and no patent or patents shall issue to said company or its assigns for any of the remaining portion of said lands until said second section of said railroad shall have been completed and equipped as aforesaid; and before any patents shall issue for any part of said lands payment shall be made for the lands to be patented at the rate of one dollar and twenty-five cents per acre; and said company shall pay the whole amount of the purchase-money for said lands in gold or silver coin, to the Secretary of the Interior of the United States, in trust for said Pottawatomie Indians, within nine years from the date of such purchase, and shall also in like manner pay to the secretary of the Interior of the United States, in trust as aforesaid, each and every year, until the whole purchase-money shall have been paid, interest from date

of purchase, at six per cent. per annum, on all the purchase-money remaining unpaid.

And if said company shall fail to complete either section of such railroad in a good and efficient manner, or shall fail to pay the whole of the purchase-money for said land within the times above prescribed, or shall fail to pay all or any part of the interest upon said purchase-money each year as aforesaid within thirty days from the date when such payment of interest shall fall due, then the contract or purchase shall be deemed and held absolutely null and void, and shall cease to be binding on either of the parties thereto, and said company and its assigns shall forfeit all payments of principal and interest made on such purchase, and all right and title, legal and equitable, of any kind whatsoever, in and to all and every part of said lands which shall not have been before the date of such forfeiture earned and patented pursuant to the provisions of this treaty.

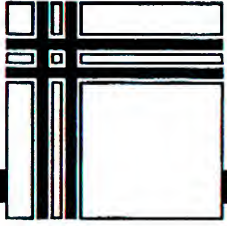
And whenever any patent shall issue to said railroad company for any part of said lands, it shall contain the condition that the said company shall sell the land described in such patent, except so much as shall be necessary for the working of the road, within five years from the issuing of such patent.

And said company shall have the perpetual right of way over the lands of the Pottawatomies not sold to it for the construction and operation of said railroad, not exceeding one hundred feet in width, and the right to enter on said lands and take and use such gravel, stone, earth, water, and other material, except timber, as may be necessary for the construction and operation of said road, making compensation for any damages to improvements done in obtaining such material, and for any damages arising from the location or running of said road to improvements made before the road is located. Such damages and compensation, in cases where said company and the persons whose improvements are injured or property taken cannot agree, to be ascertained and adjusted under the direction of the Commissioner of Indian Affairs. And in case said company shall not promptly pay the amount of such damages and compensation, the Secretary of the Interior may withhold patents for any part of the lands purchased by them until payment be made of the amount of such damages, with six per cent. interest thereon from the date when the same shall have been ascertained and demanded.

And in case said company shall not purchase said surplus lands, or, having purchased, shall forfeit the whole or any part thereof, the Secretary of the Interior shall thereupon cause the same to be appraised at not less than one dollar and twenty-five cents per acre, and shall sell the same, in quantities not exceeding one hundred and sixty acres, at auction to the highest bidder for cash, at not less than such appraised value.

ARTICLE 6. There shall be selected by the Commissioner of Indian Affairs three hundred and twenty acres of land, including the church, school-houses, and fields of the St. Mary's Catholic Mission, but not including the buildings and enclosures occupied and used by persons other than those connected with the mission, without the consent of such persons, which shall be conveyed by the Secretary of the Interior to John F. Diel, John Summāker, and M. Gerillain, as trustees for the use of the society under whose patronage and control the church and school have been conducted within the last fourteen years; on condition, however, that, so long as the Pottawatomie Nation shall continue to occupy its present reservation, or any portion thereof, the said land shall be used and its products devoted exclusively to the maintenance of a school and church for their benefit. And there shall be reserved and conveyed in like manner, and upon like conditions, three hundred and twenty acres of land, including the Baptist Mission buildings and enclosures, such conveyances to be made to such persons as may be designated by the Baptist Board of Missions.

ARTICLE 7. By article eight of the treaty of June 5, 1846, between the United States and the Pottawatomie Indians, it is stipulated "that the annual interest of their improvement fund shall be paid out promptly and fully for their benefit at their new homes. If, however, at any



TREATIES: *Continued from previous page*

time thereafter, the President of the United States shall be of opinion that it would be advantageous to the Pottawatomie Nation, and they should request the same to be done, to pay them the interest of said money in lieu of the employment of persons, or the purchase of implements or machines, he is hereby authorized to pay the same, or any part thereof, in money, as their annuities are paid, at the time of the general payment of annuities."

It is hereby agreed that the interest arising from said improvement-fund shall, in all cases hereafter, be paid in such machines and implements as will be useful to the people in their agricultural pursuits, as long as the nation shall desire it to be done, except that the shops and mechanics and physicians, now sustained by the funds of the nation, shall continue to be maintained, as at this time, for one year after this treaty shall have been ratified.

ARTICLE 8. If at any time hereafter any band or bands of the Pottawatomie Nation shall desire to remove from the homes provided for them in this treaty, it shall be the duty of the Secretary of the Interior to have their proportionate part of the lands which may be assigned to the tribe appraised and sold, and invest such portion of the proceeds thereof as may be necessary in the purchase of a new home for such band or bands, leaving the remainder, should any remain after paying the expense of their removal, to be invested in six per cent. bonds of the United States, for the benefit of such band or bands. Such band or bands so removed shall continue to receive their proportion of the annuities of the tribe.

ARTICLE 9. No provision of this treaty shall be so construed as to invalidate any claim heretofore preferred by the Pottawatomies against the United States arising out of previous treaties.

ARTICLE 10. It is hereby agreed that the Commissioner of Indian Affairs shall set apart, for the benefit of said allottees, their equal pro rata share of the improvement-fund of the tribe, which sum so set apart may be expended, in whole or in part, by the said commissioner, and under his direction, for agricultural purposes, as he shall from time to time deem expedient and for the welfare of the said Indians.

ARTICLE 11. Should the Senate reject or amend any of the above articles, such rejection or amendment shall not affect the other provisions of this treaty, but the same shall go into effect when ratified by the Senate and approved by the President.

Wm. W. Ross,
Commissioner on behalf of United States.

Shaw-guee, (chief,) his x mark.
We-we-say, (chief,) his x mark.
Jos. Lafromboise, (chief,) his x mark.
Mu-zhe, (chief,) his x mark.
Mkome-da, (chief,) his x mark.
Myean-ko, (speaker,) his x mark.
A.B. Burnett.
N-wa-kto, (brave,) his x mark.
Wah-bea-shkuk, his x mark.
Sho-nim, (brave,) his x mark.
Pauce-je-yah, (chief,) his x mark.
Ka-me-gas, his x mark.
Mo-zo-ba-net, his x mark.
Wah-sah-to, (chief,) his x mark.
Shaw-we, (chief,) his x mark.
Bourie, his x mark.
Nah-neam-nuk-shkuk, his x mark.
Pa-mah-me, his x mark.
Kah-dot, his x mark.
Mink, his x mark.
Peter The Great, his x mark.
M-tom-ma, (brave,) his x mark.
Za-kto, his x mark.
Ain-na-by-ah, his x mark.
Wah-sha, his x mark.
White, his x mark.
Wah-nukke, his x mark.
Bah-be-jmah, his x mark.
Onak-sa, (second,) his x mark.
Nom-mah-kshkuk, his x mark.
Thomas Evans.
Peter Moose, his x mark.
Jas. Levia, his x mark.
Tquah-ket, his x mark.
Wahs-meg-guea, his x mark.
Pame-bo-go, his x mark.
A-yea-nah-be, his x mark.
Nah-duea, his x mark.
Nau-wah-ga, his x mark.
Pahs-kah-we, his x mark.
Wahb-na-mid, his x mark.
Moz-wa-nwah, his x mark.
Thos. L. McKenney.

Za-gah-knuk, his x mark.
Che-gueah-mkuh-go, (brave,) his x mark.
Ain-waish-ke, his x mark.
Msquah-mke, his x mark.
Mko-nuih, his x mark.
Oketch-gum-me, his x mark.
We-zos, his x mark.
A-sah-sahng-gah, his x mark.
Buck, his x mark.
M.B. Beaubien.
L.H. Ogee.
Lewis View, his x mark.
B.H. Bertrand.
Shop-kuk, (speaker,) his x mark.
George Fortier, his x mark.
Oдах-wahs, his x mark.
Little American, his x mark.
Puk-ke, his x mark.
Nah-ge-zhick, his x mark.
Oketch-gum-me, his x mark.
Je-gueah-kyah, his x mark.
Bapt. LeClere, his x mark.
Leon Bertrand, his x mark.
Bzug-nah, his x mark.
Beau-mo, his x mark.
Ke-yo-kum, his x mark.
Muk-kose, his x mark.
Wa-me-go, his x mark.
Ka-beame-sa, his x mark.
Onak-sa, his x mark.
Frank Bourbonnie, his x mark.
Bescue Bourbonnie, his x mark.
Eli G. Nadeau.
Charles Viean.
To-to-qua, her x mark.
Messah, her x mark.
Otter-woman, her x mark.
Mary Jutions, her x mark.
Pnah-zuea, her x mark.
Louis Blackbird, his x mark.
Jos. N. Bourassa, United States Interpreter.

Signed in presence of-
L.R. Palmer.
S.M. Ferguson.
C.N. Gray.
John D. Lusby.

Can You Identify Anyone In This Picture?

Dear How-Ni-Kan:

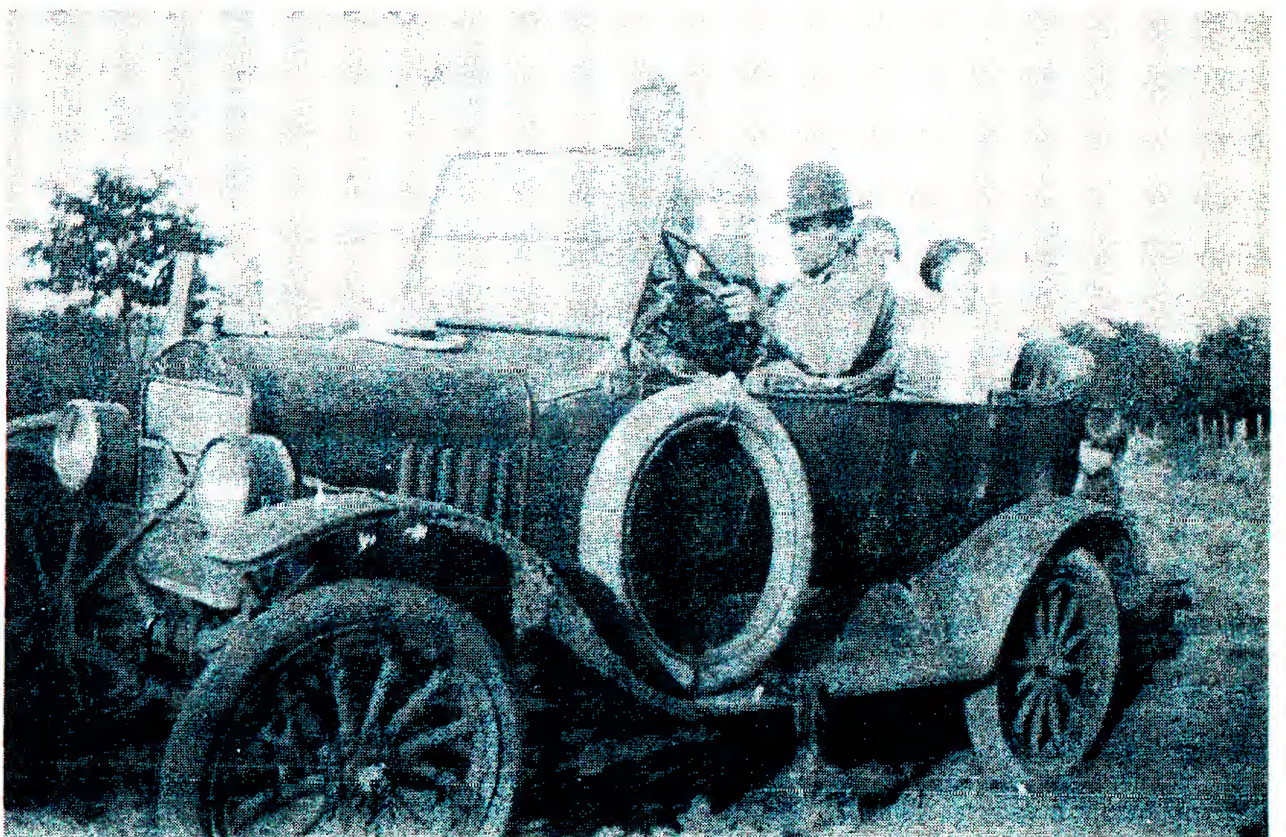
I am enclosing a picture I found in a box from my mother's collection. The only clue I have on the identity of the people is a note written on back that says "Daddy's (Charles Henry Anderson) people in Tecumseh, OK."

I would really enjoy knowing who is in the picture had hope it is a good enough copy to print.

Hope to see everyone at the Anderson Reunion this year, if anyone needs information they can call me.

Thanks,

Dorothy Singleton
212 Brunswick Lane
Mesquite, TX 75149
(214) 288-8724



ST. MARYS

By Father Maurice Gailland

Diary Of The Potawatomie Mission Of St. Marys On The Lake

January 1:

There was Mass and benediction. A great number of callers visited us.²⁷ The Swevians began to migrate here.

January 3:

The Madames of the Sacred Heart have started to sing in the chapel during the Holy Sacrifice of the Mass with the accompaniment of the organ.

January 5:

Father Gailland went to Louisville in order to declare his intention of becoming naturalized as an American citizen.²⁸ While he was there he visited the prisoners.

January 11:

Father Adrian Sweere went to Louisville to become an American citizen.³⁰ Mr. Morris, an agent of the Government, visited the school.³¹

January 23:

A priest was summoned to J. Harding today.³⁵ At once the priest set out, but he did not arrive in good time. The students are very numerous.

January 25:

A letter was written to Father General about the conditions of the Indians and the fact that a deputation of thirty men went to explore the southern region, etc. In the town council of St. Marys it was decided that they should have a so called public school. One of the Fathers was called Westawomick, seriously ill. We are restricted in our college building to the smaller part. The person who is going to bake the bricks is dissatisfied.³⁶ There is a great amount of malevolent talk against our school, especially from the Half-Breeds;³⁷ they are trying to destroy our school.

January 26:

Father Provincial requested us to make a novena to St. Anthony of Padua for an important matter concerning St. Mary's College.³⁸

January 27:

Two fathers were called to the sick; one to Rock Creek, the other to Kwokitohis, near Mieniko.³⁹ A consultation was held concerning the execution of our plans.

February 2:

Two of fathers went to Topeka to examine the students in the Bishop's seminary.⁴⁰ At the beginning of this month we began to dig a well for the new college.⁴¹

February 7:

Reverend Father Provincial, Ferminand Coosemen, arrived with the architect of the College, Mr. Debonne.⁴²

February 10:

Brother Goodwin began his retreat. We have been having beautiful weather all the time. It is like Spring.

February 14:

Water was found in the well on top the hill. Only the front of the college and of that, only the projecting part is to be constructed now; that is to say, it is eighty feet long and sixty-eight feet wide. When it will be finished, the length will be four-hundred feet.

February 16:

The deputation sent to explore the Southern part of the region has returned. The nuns of the Sacred Heart arrived. One is from Chicago; the other is from St. Louis. They came to choose a place for building their academy.⁴³

February 19:

Reverend Father Provincial returned to St. Louis.

February 25:

Father Diels went to Leavenworth with the intention of collecting money owed to us, and then, also, to make certain contracts legally secure.

February 26:

One of the Fathers went to St. Joseph.

March 1:

All the Fathers of the mission are called to the sick.

March 3:

We received the sad news of Father Smarius' death. The well on the top of the hill has been dug to sixty-three feet, and still no water. There was rain and snow.

March 8:

No water was found in the well on top of the hill; thus it must be abandoned. There are many sick from our parish.

March 10:

From the end of February up until the middle of March many were sick and died.⁴⁶

March 14:

Father Foley, a secular priest from Australia, arrived. He will share part of the labors of Father Rimmole. Yesterday the workmen started to dig a new well.

March 16:

Father Diels returned from Leavenworth.⁴⁷ Father Swenberg, a secular priest, accompanied him.⁴⁸ The cold is most intense; it is three above zero. The Kaw river is frozen over.

March 17:

The feast day of Reverend Father Rector.⁴⁹ During Mass the nuns sang together with the girls.

March 18:

Father Swenberg left. Father Sweere went to Elbowtown, a place near the town of Manhattan.⁵⁰ Today the Indians convened to discuss the question about migrating to the southern region.⁵¹

March 19:

Feast of St. Joseph's. The nuns with the girls sang during the Mass.

March 20:

Father Diels preached.

March 21:

Father P. Ward went to Leavenworth. Fathers Fogerty and Foley arrived.

March 24:

Father P. Ward returned from Leavenworth. He brought with him two lay Brothers, Brother Patrick Clements and Brother James McNieve.⁵²

March 28:

Constantine Ban der Varant, a coadjuter Brother, was sent to Leavenworth where he will fulfill the duties of sacristan.⁵³ The Quakers have been busy working out various schemes to take away our school from us. They thought out a scheme for giving the names of the pupils and presenting them four times a year to the government officials.⁵⁴

March 29:

There was discussion in the meeting of the Fathers about the necessity of buying a steam cutting machine for cutting rails for fencing the fields and pastures, then also about sending home four students because their parents are unable to pay for their board.⁵⁵ Father Rimmole returns from the missions a long distance away.

April 2:

The contract is given for the stone basement of the college to Mr. Dietrik and Mr. Schaffer, Germans.

April 7:

Father Kammer, a Carmelite, visited us; at the same time he intends to ask for money to build a church in the city of Leavenworth.⁵⁷ The superior of the nuns of the Sacred Heart came with two laymen.⁵⁸

April 16:

Twenty-one boys received their First Communion. The nuns of the Sacred Heart decided to build an academy in their garden. The cold is most intense.

April 17:

Easter Sunday. There was a huge crowd; many could not find room in the church. There was a Solemn High Mass. A sermon was preached both in the morning and in the afternoon. The other Mass was at eight o'clock.

April 18:

We stopped digging the well on top of the hill.

April 22:

Reverend Father Cooseman arrived with the intention of determining on, 1) a superintendent for erecting the building, and, 2) the place where they should build.⁵⁹

April 25:

Father Cooseman returned to St. Louis.

April 26:

Water is found in the well on the top of the hill. They are laying the foundation for the new home of the Madames of the Sacred Heart. Inquiry where we were to build was made by Reverend Father Cooseman. By telegraph we are ordered to put the new building at the foot of the hill. Coal was found in the well.⁶⁰

May 1:

Father Fogerty came from Junction City.⁶¹ He preached both in the morning and in the evening. John McCune gave a third part of his possessions to the missions before he died.

May 2:

Father Fogerty left; Father Tehan arrived.⁶² They are digging a foundation for the college.

May 3:

Fathers Tehan and Ward went to Leavenworth to arrange a contrast.

May 5:

Fathers Corbett and Tehan arrived.⁶³

May 6:

Father Patrick Ward returned from Leavenworth.

May 7:

Father Sweere went to Rock River.⁶⁴

May 8:

The Patronage of St. Joseph. More than twenty girl students of the Madames of the Sacred Heart received their First Communion. Annuities were given to the Indians who are not citizens.

May 10:

Fathers Corbett and Fogerty arrived from Humboldt.⁶⁵

May 11:

The Feast of St. Francis de Hieronyme of the Society of Jesus.⁶⁶ In the morning there were May devotions and benediction. Fathers Corbett

and Fogerty left. Reverend Father Cooseman arrived. John Parks unexpectedly died at the house of Antoine. The

Indians are discussing and thinking about the private ownership of their lands at Michkolenntyek.⁶⁷

May 13:

Father Cooseman returned to St. Louis. Father Superior accompanied him as far as Topeka. We bought the eighty acres adjoining our land from Mr. Angle.

May 16:

Father Rimmole arrived. There is heat and drought.

May 23:

Father Defouri visits us.

May 24:

The end of the triduum. Renovation of vows were made today.

May 26:

The Ascension of Our Divine Lord, Jesus Christ. There was a solemn High Mass.

May 27:

Father John Tehan returned to St. Louis.

May 31:

They are laying the foundation of the college. The contrast for the carpenters' job is given to Mr. McGongle.

June 6:

Brother James Kehoe went to St. Louis to buy a steam engine for the grist-mill.

June 8:

We held the blessing of the cornerstone for the new college of St. Mary Immaculate today.⁶⁸

June 10:

Father Sweere went to Alma, instead of Father Rimmole who was unwell.⁶⁹

June 13:

Brother James McNieve began his eight-day retreat in preparation for pronouncing of his vows.⁷⁰

June 14:

Abraham Burnett (Enowechim) died.⁷¹

June 15:

We began a novena in honor of the Blessed Virgin Mary and St. Joseph in accord with Father Provincial's request.

June 20:

Father Cunningham and Father Gunther paid us a visit.⁷²

June 21:

The Feast of St. Aloysius.⁷³ Brother James McNieve pronounces his first vows. There was a low Mass during which students received Holy Communion. Joseph Noweketo died in misery. After the end of June, the neophytes received their allotment of land in the name of the living and the dead.⁷⁴

June 29-30:

The heat is intense. It is 101 degrees.

July 4:

A national holiday. There is a great drought. The agent, Morris, intimated that our school for the Indians would not last long. A letter was written to Count Berkley in England.⁷⁵

July 13:

An exhibition of the students of the Madames of the Sacred Heart was given this morning to the great satisfaction of all. In the evening the same was done by our students.⁷⁶ There is a great heat wave and extreme drought.

July 14:

Father Scholl and Father Fogerty arrived.⁷⁷ Brother Murphy went to Leavenworth where he will stay for a few days.⁷⁸

Continued on page 11

ST. MARYS

By Father Maurice Gailland

*Diary Of The Potawatomie Mission
Of St. Marys On The Lake
— continued from page 10 —*

July 16:

They wish to force us to pay taxes.⁷⁹ Congress did not agree to the petition of the Indians to pay money for the children. The heat and dryness are extreme.

July 19:

Father Diels went to Lawrence, in order to ask money from the Superintendent, Hoag.⁸⁰ War broke out in Europe.⁸¹ Today it is raining here and in the vicinity.

July 20:

Father Diels returned with \$2,000.00 in payment for the Miami students who had been educated here.

July 25:

Mr. Riehl went to Leavenworth for a vacation.⁸² There is war in Europe.⁸³

July 28:

Father Ward, with Father Panken, returned.⁸⁴ There is some difficulty over the exemption from taxes.

August 2:

Father Panken returned to St. Louis. The heat is most intense.

August 3:

Father Ward and Father Diels went to St. Louisville with the intention of giving and extimation of our possessions.⁸⁵ Father Fogerty arrived; Father Cooseman, the Provincial, arrived. There is fighting at Saarbuck.

August 6:

Father Cooseman left.

August 7:

Brothers Riehl, Murphy, Kelly, Kentrop, Dickneite, James Kehoe and De Briendt, began their retreat.⁸⁶ There is a battle at Weissenberg; V. P. General of France Deryouisus is defeated. There was much rain. At Junction City three brothers, the Sandersons, murderers and robbers, were killed. They were Englishmen.⁸⁷

August 17:

Fathers Defouri, Pavre, Leissen and Laigneil arrived.⁸⁸ Also Father Fogerty with a group of seminarians arrived.

August 18:

Fathers Defouri and Laigneil with the seminarians left.

August 19:

Fathers Patrick Ward and Franois Diels went to Lawrence concerning the lawsuit over the taxes.⁸⁹ Today they are beginning to lay bricks on the foundation of the house.

August 23:

N. Marshall starts to publish a newspaper in the town of St., Mary's under the title 'Kansas Herald'.⁹⁰

August 24:

Reverend Father Ward returned from Leavenworth. Father Schwomberg came and left. Father Fogerty left at the same time. All this month war has been raging

between the French and Prussians.

August 27:

Father Cunningham arrived.

August 30:

Fathers Ward and Cunningham went to Junction City.

August 31:

Father Ward returned. Father Pavre came and left. Brother Patrick Kehoe went to Leavenworth because of a rupture.

September 5:

There was a solemn Mass of the Holy Spirit at the beginning of the school year. We have forty students. They say that Napeleon is captured. McMahon wounded and he and his army have surrendered.⁹¹

September 6:

It is true that Napoleon is captured.

September 8:

Fourteen students arrived from the state of Missouri;—the French Republic—The Germans are heading towards Paris.

September 11:

There were many Holy Communion. Four young Frenchmen who received their First Communion this morning, intend to migrate to the upper region.

September 14:

The army of the Italian nation is marching to Rome, intending to occupy the town. The Pontifex protests, but does not resist, so he may not spill the bloodshed of the army needlessly.⁹²

September 20:

Brother George Bender arrived.⁹³ There is great confusion in Europe. Fighting is going on near Paris.

September 21:

Brother Kelly left for St. Louis. There is no peace in Europe. They are talking about an united republic.⁹⁴ Rome is surrounded by the Italian army. The Osage are being driven out from the State of Kansas.⁹⁵

September 22:

The Italians are pouring into Rome. There is no battle. Father Diels went to Lawrence to consult the attorney, Shannon, regarding the question of paying taxes for the land around the college.

September 23:

A letter was received from Father General about having recourse to the Sacred Heart of Jesus in an attempt to avert the great calamities that are facing the Church and the Society.⁹⁶ Three Our Fathers, Hail Marys and Glorias are to be added to the litanies. Each Friday up until the month of December there will be Exposition of the Blessed Sacrament. Paris is besieged by the Prussians. On account of the frequent rains, the hay can hardly be put up.

September 29:

(Today is the) first time the general newspaper bearing the title 'Saint Mary's Star' is published.⁹⁷

October 3:

Father Diels went to the Osage to have a consultation with Father J. Schoenmakers about not being exempt from taxes.⁹⁸

October 6:

Father Phillip Colleton from the Osage Mission arrived and visited here.⁹⁹ The privilege of celebrating the feast of the Sacred Heart as a first class feast with an octave is given to the Society.¹⁰⁰ For this privilege the fathers intend to say one Rosary and offer one Mass, the temporal co-adjutors to offer one Rosary, in thanksgiving.

October 10:

The Feast of St. Francis Borgia.¹⁰¹ Reverend Father Francis Diels sets out for St. Louis, leaving in almost all of us a deep regret at his departure. At the same time Francis Palmer, who will pursue studies, and Michael Collins, a postulant of the Society, set out with him.¹⁰² There has been a heavy rain for four days.

October 12:

Father Fogerty, pastor in Junction City, arrived.

October 13:

Father Colleton of the Society of Jesus and Father Fogerty left today.

October 22:

Father Schwemberg brought a girl here to be taught and (then he) left again. The war between France and Prussia is still raging.

October 25:

Father Kuppens arrived.¹⁰³ Father Sweere is made minister of the house.

October 26:

The Indians received annuities from the government.

November 1:

There was Mass at five and eight, and at ten thirty a solemn High Mass. Father Fogerty sang the Mass, Father Colleton preached. Both arrived here yesterday. Father Sweere went to Junction City. At seven-thirty P.M. Father Colleton gave a polemic homily.¹⁰⁴ The Indians are given their last payment from the government. There are many scoundrels in the town.¹⁰⁵ The money for the students remains intact. Michkotoiyack is about to go into another region.

November 2:

Two students from Junction City have left. They were N. Jaminee and W. Horn.¹⁰⁶ There was a High Mass with a sermon at eight o'clock.

November 4:

It rained.

November 6:

Father Swenberg arrived and intends to make a retreat.

November 16:

Reverend Father Ward went to the town of Louisville.

November 17:

Father Ward set out for Lawrence.

November 20:

Brothers Goodwin, Patton, Patrick Kehoe, Corcoren, Clements, with Reverend Father Patrick Ward began their retreat under the direction of Father Kuppens.¹⁰⁷

November 21:

Feast of the Blessed Virgin. Four Madames of the Sacred Heart renewed their vows in the church.¹⁰⁸ They were not given a triduum.

November 22:

Father Gailland went to Leavenworth to greet the Bishop upon his return from Rome.¹⁰⁹

November 29:

Father Cunningham came to make a retreat.

December 2:

One of the students, Owen Reynolds, died.¹¹⁰ Many are sick. The measles epidemic is spreading about in the town.¹¹¹

December 5:

We began the triduum for the renovation of vows.

December 6:

Father Cunningham ends his retreat.

December 8:

We renewed our vows. Brother Corcoran pronounced his last vows. There was a solemn High Mass. Father Rimmole preached.

December 9:

Reverend Father Cooseman, the Provincial, arrived. He will begin his visitation.

December 14:

Reverend Father Perrier arrived with the intention of making his retreat.¹¹²

December 17:

Reverend Father Cooseman, the Provincial, with Father Patrick Ward, the superior, left for St. Louis.

December 21:

Father Perrier returned home. The seminarian, Huhn, arrived; he is about to set out for Seneca.¹¹³ The weather is very cold.

December 25:

Only two fathers are present. The weather is very cold.

December 26:

Father Ward returns—Father DeSmots gave pious gifts.¹¹⁴

December 27:

Brother George Bender begins his annual retreat.

Footnotes

⁷⁹ It was customary for the Indians to call on the Blackrobes at the beginning of the year and offer them a gift. They usually gave venison.

⁸⁰ Father Gailland probably went to Louisville, Kansas. Louisville is situated in Pottawatomie County and Louisville Township: Section 20, Township 98, Range 10K. Official State Atlas of Kansas for 1887, *op. cit.*, p. 109.

⁸¹ "A Mr. Ward arrived to bake the brick yard just south of the railroad tracks near the head of the present Grand Ave. of

St. Marys, Kansas." O'Connor, *op. cit.*, p. 334

In the House Diary and Accounts the following receipt is found: "Received from P. J. Ward, five hundred dollars (\$500.00) as part payment for brick work at St. Mary's College. June 12, 1871." (Signed) M. Ward. *St. Mary's Pottawatomie Mission House and Accounts* (Unpublished): Archives of St. Mary's College, St. Marys, Kansas), p. 83.

³⁰ Father Adrian Sweere entered the Society as a priest in 1868, and took his first vows on the feast of the Archangel Michael, 1869. O'Connor, *op. cit.*, p. 332.

³¹ Joel H. Morris held this post government agent to the Potawatomes for just one year; that is from 1870-1871. Augustin C. Wand, *List of Government Agents to Potawatomes* (Unpublished: St. Mary's Archives, St. Marys, Kansas).

³² Tchikwes attended the mission

chapel in 1849. Gailland, *Students Register*, page not listed.

³³ Father Ambrose Butler was a diocesan priest stationed at the Church of the Immaculate Conception, Leavenworth, Kansas. Sadlier, *op. cit.*, p. 295.

³⁴ These letters were sent at least once a year, frequently twice or three times a year. The letter was usually quite detailed, containing information about the health and well-being of the members of the Jesuit community, the spiritual and

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financial successes and failures of the mission, and the prospects for the future well-being of the mission.

35 On March 13, 1865, a Julia Harding received her First Communion. This person may be the one Father Gailland has reference to in this entry. Records of First Communions and Confirmation—1851-1887, *op. cit.*, p. 24.

36 "Mr. Ward became somewhat dissatisfied when he learned that only one-fifth of the building contemplated by the plan would be undertaken at once. The intention was to erect immediately a four story brick structure, eighty feet by sixty-eight feet, and eventually an edifice with a frontage of four hundred feet." O'Connor, *op. cit.*, p. 334.

37 These half-breeds or Bigenil as some were called had caused the missionaries much trouble for a number of years. In 1850, Father Gailland speaks of them in this fashion. "There is in this country a certain class of men called 'Medicine Men' or 'Jugglers.' While very ignorant, they are distinguished chiefly by their pride of character. Having only vague Calpurian notions of Catholic religion, they affect to despise the virtuous training and Christian doctrine which we give to the children; and they demand of us temporal aid which our poverty cannot afford. This gave rise to dissatisfaction and even to threats and insults." Gailland, Historia Domus, 1850, Cf. The Dial, October, 1891, p. 19.

38 St. Anthony of Padua is prayed to frequently by the faithful for the recovery of some lost article. We do not know the precise reason why Father Provincial wished the Jesuits at St. Mary's to pray to St. Anthony. In a letter of Father DeSmot's written in 1856, he says that he and many others were imploring St. Anthony of Padua to help them discover the body of Father Duerinck who was lost at sea. Hence, this is not the first time that the Jesuite prayed in a group to St. Anthony of Padua. DeSmot to Mrs. S. P. cited in Pierre DeSmot, S.J., Western Missions and Missionaries (New York: James B. Kirker Co., 1863); p. 343.

39 Rock Creek is in Pottawatomie County and flows through township of Louisville in the southeastern part of the county. Official State Atlas of Kansas for 1887, *op. cit.*, p. 109.

Kwokitchis is no longer listed on the State Atlas of Kansas; hence its exact location is unknown.

40 Father Defouri established a seminary in Topeka after his return from France in 1866. Bishop Kiege wrote in 1871 that Father Defouri had fifty students in his seminary. Thirty of these men were studying for the priesthood and seven or eight were in Philosophy. Cf. Garraghan, Life of Bishop Kiege.

41 "Father Defouri's seminary was a desperate attempt to remedy the lack of clergy in the vicariate, and it was successful to the extent that a number of students received at least a part of their education in this frontier institution designed to do the job at little cost." Peter Berchman, O.S.B., Church on the Kansas Frontier (Washington, D.C.: Catholic University of America Press, 1942), p. 93.

42 Mr. Debonne's home was in St. Louis. "On February 7, 1871 Father Coosemen

and Debonnes arrived at St. Marys, the Provincial to acquaint himself with the financial standing of the house, and the architect to inspect the site of the proposed building and give directions for the necessary excavation." Garraghan, *op. cit.*, III, 52.

43 The two Madames of the Sacred Heart mentioned in this entry were superiors. One was Mother Galway of Chicago; the other was Mother Hardy of St. Louis. In May of 1869 the Jesuite and Madames of the Sacred Heart came to a friendly agreement on a division of movable and immovable property on the Missions. The agreement read as follows: "First, the Company of Jesus will cede to the Ladies of the Sacred Heart an ample piece of ground to erect buildings, with recreation grounds, a garden, orchard and pasture. This land will comprise the spot where the buildings are which the Religious actually occupy, and a part of the garden and orchard, the products of which, up to present, for the use of both communities. This land shall have an extent of forty to sixty arpents (acres); secondly, the Company will grant the Ladies ten milk cows, or a greater number if the needs of the community demand it; also, some horses and other animals which belong to the farm; thirdly, the Company engages to pay the Ladies a net sum (\$10,000) ten thousand dollars; fourthly, when the division of the property has been completely arranged so that the Religious of the Sacred Heart can conduct their own affairs as in the other communities of the order, the members of the Company contract to furnish the Ladies, if they are in need or express the desire, during the space of twelve or eighteen months, the necessary provisions and supplies. Moreover in case the Fathers of St. Mary shall establish a brick yard, the Ladies shall be furnished with the bricks necessary for a three story house sixty feet long by forty feet wide." O'Connor, *op. cit.*, pp. 335-336.

44 Mr. James McGonigle built the Leavenworth Cathedral for Bishop Miege. He was given, also, the contract for the carpentry work. Garraghan, *op. cit.*, III, 20.

45 "The Angle farm is located a mile and a half north and a half mile west of St. Marys. I believe this is located in Section 4, Township 9, Range 12, Pottawatomie County. It was a rather rocky eighty acres and up until a few years ago, a portion of the old house was standing, and perhaps it is still in existence." This information was furnished through the courtesy of Mr. Erle Francis, Attorney at law, Topeka, Kansas.

46 The nature of this sickness is not recorded; however, during the early seventies there were two or three epidemics of small-pox and measles. Cf. Alma Herald, January, 1872.

47 Father Diels is fulfilling the duties of superintendent of buildings.

Leavenworth is located in Leavenworth County, Leavenworth Township; Section 26-27, Township 83, Range 22E, and Section 34-35-36, Township 98, Range 22E. Official State Atlas of Kansas for 1887, *op. cit.*, p. 16.

48 Father Swenberg was stationed at the Church of the Assumption in Topeka

at this time. Sadlier, *op. cit.*, p. 296.

49 Once a year a day is set aside in a Jesuit community to honor the rector of the house. This day is usually called "Father Rector's day." It is interesting to note that the rector of St. Mary's at this time, Reverend Patrick Ward, chose St. Patrick's day as his feast day.

50 Father Adrian Sweere, S.J., carried on the work of Father Louis Dumortier, S.J., during these years in the surrounding missions of St. Mary's. Garraghan, *op. cit.*, III, 42.

51 The southern region has reference to the new reserve given the Potawatomes by the Treaty of 1867. The territory is now in the state of Oklahoma. According to Father Garraghan, one hundred Potawatomes from Kansas by 1877 had settled near Chetopa (Indian territory) and were being cared for by Father Bonoceni. Another two or three hundred had settled on the Canadian River (river in Oklahoma), and were attended to by the Benedictines. Garraghan, *op. cit.*, III, 58.

52 Brother Patrick Clements was born on January 29, 1828. He arrived at St. Mary's on this day and remained for nine years. He died on March 9, 1897. O'Connor, *op. cit.*, pp. 592-594.

53 Brother Van der Varant was the carpenter at St. Mary's before he was transferred to Leavenworth. O'Connor, *op. cit.*, p. 332.

54 This entry concerning the Quakers trying to take the school away from the Jesuite has reference to the large number of Quakers appointed as Indian agents of the government. In 1870, instead of the appointment of forty Catholics, only eight were accorded the job. Eugene Laveille, S.J., Le Pere De Smot, 1801-1873 (Liege, 1913), pp. 364-365.

55 This entry is the first mention of sending boys home because they cannot pay for their board. While the Indian mission school was functioning, the government paid \$75.00 per annum for each student. With this seventy-five dollars the Fathers had to clothe, feed, and educate them. Without the government subsidies, small and very inadequate as they were, the Jesuits had to dismiss students who could not afford tuition. O'Connor, *op. cit.*, p. 338.

56 John McKime was a student from Ellsworth, Kansas. He entered St. Mary's on December 29, 1870, Gailland, *op. cit.*

William McHale was a student, also.

57 "The year 1864 also marks the coming of the Carmelite Fathers to Leavenworth. They opened a mission station in 1865 at Scipio, Kansas and today are still in charge of St. Joseph's Church, Leavenworth." John Mooder, J. C.D., History of the Diocese of Wichita (Wichita: Diocesan Chancery Office, 1937), p. 22.

58 Mother Gallway was the superior of the Madames of the Sacred Heart. "Toward the end of April, 1870 the Sacred Heart Nuns began the erection of a four story brick building which remains today as the Faculty building of St. Mary's College." O'Connor, *op. cit.*, p. 337.

59 The location of the building was determined largely by the success or failure of striking water on the top of the hill. Though some water was found it was not of sufficient quantity to warrant building on top of the hill. Garraghan, *op.*

cit., III, pp. 52-53.

60 No further mention is made of the discovery of coal; hence it seems that there was not much coal in the wall.

61 Junction City is located in George County, Smoky Hill Township; Section 12, Township 12E, Range 6E. Official State Atlas of Kansas for 1887, *op. cit.*, p. 93.

62 "Father John Tehan was assigned to St. Mary's to give the benefit of his ability in economic and financial affairs to Father Ward, who was without experience in this regard, though on him was now to devolve the responsibility of erecting the College building that has been planned." Garraghan, *op. cit.*, p. 30.

63 Father Michael Corbett was stationed at Leavenworth at this time. O'Connor, *op. cit.*, p. 53.

64 Concerning the location of Rock Creek, cf. footnote 39.

65 Humboldt is located in Allen County. Humboldt Township: Section 4, Township 26S, Range 18E. Official Atlas of Kansas for 1887, *op. cit.*, p. 53.

Humboldt was named after Baron Von Humboldt, German traveler and naturalist. Moeder, *op. cit.*, p. 25.

66 "St. Francis de Geronimo was born at La Grottaglia, Italy, December 17, 1642; ordained Maples, Italy, Marcy 18, 1664. entered the Society at Maples, July 1, 1670; died at Maples, May 4, 1716; beatified by Pope Pius VII, March 19, 1806; canonized by Pope Gregory XVI, May 26, 1839. Famous in Naples for organizing the workingman sodality, his power as a preacher and promoting a monthly Holy Communion day. God granted him the power of working miracles. He is a special patron of the Neapolitans. Corley and Willmes, *op. cit.*, p. 183.

67 The village of St. Joseph was called Mechgamling. Perhaps Father Gailland meant this place. Michkolennyek does not appear on the map, nor is it mentioned in any of the early records of St. Mary's Mission.

68 This building was not complete until the beginning of the year 1872. "The building measured eighty by sixty feet, had a stone basement with superstructure of brick four stories high and when completed was to show a frontage of four hundred feet." Garraghan, *op. cit.*, p. 53.

69 Alma is located in wabaunsee County, Alma township: Section 11, Township 12S, Range 10E. Official State Atlas of Kansas for 1887, *op. cit.*, p. 112.

70 Brother McNieve was preparing to pronounce his first vows of poverty, chastity, and obedience.

71 "On June 14, 1870 died Abraham B. Burnett, Pottawatomie chief whose Indian name was Kah-he-ga-wa-ti-an-gah. He was born about 1811 in Michigan. The son of Kaw-kee-me. The sister of Top-one-be. There seems to have been some white blood in his stream but to what extent is unknown.

Abram or Abraham received his early education at this mission school of Fort Wayne, Ind. and Carey, Michigan. In 1887 Issac McCoy took Abram with him as interpreter when he visited neighboring tribes. Abram's name is found in the treaties of 1821 and 1822 and 1837, in the

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last case as one of the head men. His name occurs also in the treaty of June 17, 1846. In 1842 he married Mary Knofflock, who had come from Germany at the age of eight. Together they moved from Indiana to Sugar Creek and from there in 1848 to the new Pottawatomie reserve. She was Catholic and he seems to have followed her.

Burnett built his cabin on the north side of Shungamonga Creek, southeast quarter of Section 9, Township 11, Range 15E, Mission Township. It stood one hundred-and-fifty yards north of the creek. The land was sold in 1880 to Mr. Little." *Kansas Historical Collections* (1913-1914), XIII, 371.

72 Father Cunningham at this time was stationed at the Church of St. John the Evangelist, Lawrence, Kansas. Later Father Cunningham became the third Bishop of Concordia. Sadlier, *op. cit.*, p. 297.

Father Gunther was stationed at St. Boniface in Scipio, Kansas. Sadlier, *op. cit.*, p. 297.

73 "St. Aloysius Gonzaga: born at Castiglione, Italy, March 9., 1568; entered the Society (of Jesus) in Rome, November 25, 1585; died at Rome, June 20, 1591; beatified by Pope Paul V, October 19, 1605; canonized by Pope Benedict XIII, December 31, 1725, declared patron of youth by Pope Benedict XIII, December 31, 1726." Corley and Willmes, *op. cit.*, p. 55.

74 The Potawatomi treaties of 1861 and 1867 provided for allotment of the tribal land in severalty, the per capita distribution of tribal funds and the admission of the Indians, according as circumstances permitted, to the full status of naturalized American citizen. Cf. Garraghan, *op. cit.*, III, 57.

75 A benefactor of the Jesuits.

76 This exhibition was the first annual commencement of the new college. The students were quizzed in certain branches of knowledge, besides speeches and dialogues, songs and music completed the programs. See O'Connor, *op. cit.*, p. 358.

77 Father Scholl and Fogerty were stationed at St. Francis Xavier's Church in Junction City. Sadlier, *op. cit.*, p. 322.

78 Brother John Murphy was born on May 24, 1828. He arrived at St. Mary's in 1858 and died there on December 11, 1890. Information obtained from tombstone, St. Mary's Cemetery, St. Marys, Kansas.

79 "They" in this entry refers to the Government. As long as St. Mary's was a mission on a Government reserve the Fathers did not have to pay taxes on the buildings or territory belonging to them at St. Mary's. However, now that the school is becoming an institution for white boys with a charter from the state of Kansas they are required to pay the usual taxes.

80 The next entry gives the reason for Father Diels' request for money from Superintendent Hoag. For some years the Jesuits had been educating the children of the Miami, as well as the Potawatomes, but had not received any allowance from the government for the Miamies. From the entry of July 20, 1870, we see that he obtained \$2,000.00.

81 The war referred to in this entry was the Franco-Prussian War of 1870-1871.

82 Mr. Joseph Riehl, S.J., was a scholastic teacher. He arrived at St. Mary's in

1868 and departed on July 15, 1872. "In 1868 the teaching staff of St. Mary's was strengthened by the addition of Mr. Joseph J. Riehl, S.J., a scholastic, who was transferred from St. Gall's Milwaukee. He was the third and last scholastic connected with the old Indian school before it was suddenly transformed into a college, chartered by the State of Kansas. O'Connor, *op. cit.*, p. 313.

83 A brief survey of this war is given in Dorf's *Visualized World History*: "Bismarck's ultimate objective was complete unification. Four large southern German states, Bavaria, Wurttemberg, Baden and Hesse, still remained aloof. Bismarck was convinced that a war with a foreign nation—for example, France—would arouse the patriotism of the southern Germans and cause them to join their northern countrymen. Napoleon III and the French militarists, in their eagerness to thwart German unification, played into the Chancellor's hands. France's protests against the candidacy of one of the Hohensollern princes for the vacant throne of Spain was employed by Bismarck to incite both nations. His version of an interview between the Prussian King and the French Ambassador (Ems Dispatch) infuriated the French, who declared war. Prussia was prepared; France was not. The well-drilled Prussian armies swept across the border, defeated Napoleon III at Sedan, captured Nots, and besieged Paris. The fall of the capital ended the war. By the treaty of Frankfurt, France ceded Alsace and Lorraine to Germany, and agreed to pay an indemnity of five billion francs." P. Dorf, *Visualized World History* (New York: Oxford Book Press, 1943), p. 209.

84 Father Ignatius Panken was stationed in St. Louis. In 1872 he was pastor of St. Elizabeth's colored parish in St. Louis, and in 1890 was sent to St. Stephen's Indian Mission in Wyoming. Cf. Garraghan, *op. cit.*, III, 535, 562.

85 If the property of St. Mary's was to be subject to taxation, Father Ward wished to have a proper estimate of the said property.

86 The following passage from Father O'Connor's *The Jesuite of the Kaw Valley* give us a glimpse at the work these men did on the mission: "Mr. Joseph Riehl, who was in his fourth year of teaching had charge of the liberty. The brothers were Constantine Van der Varent, carpenter; Henry Dickneite, cook and baker; James Kehoe, farm boss; Peter Kelly, prefect of the school, and sharing the same duties with Brother John Murphy; Joseph Kentrup, shoemaker and gardener; Louis deVreindt was the tailor." O'Connor, *op. cit.*, p. 332.

87 This entry is quite unusual. Father Gailland has refrained up to this point from mentioning such things as murders, scandals, etc.

88 Father Defouri, Loissen and Pavre were from the Episcopal seminary in Topeka. Father Pavre was professor of Theology in the seminary. Father Laigneil was stationed at the Church of the Immaculate Conception, Leavenworth, Kansas.

89 The Jesuit Fathers maintained that a religious and educational institution such as St. Mary's should be exempt from

taxation. Their reason for this position was that St. Mary's was not conducted for personal gain. The members of the Jesuit Community lived under a vow of poverty, and that the only revenue drawn from the school was the necessary amount for their livelihood. If any profits were made, they were used to have better and greater facilities for the school. "If the institutions were taxed, the burden would have to be met by the people who were the beneficiaries of Jesuit education. As these people were already taxed for the purpose of the government, it would seem unjust in principle to levy on them, indirectly, another tax for the same purpose." O'Connor, *op. cit.*, p. 348.

90 The *Kansas Herald* had just a month's duration. It was replaced by the *St. Mary's Star* on September 29.

91 Marshal MacMahon was called Algeria early in August of 1870 to command the French army. "Marshall MacMahon, whom the Emperor Napoleon now joined, and to whom the French pinned their faith, counseled a rapid retreat to Paris in order to afford time to raise new armies and retake the field with some chance of ultimate success, but the Empress Eugenia, who knew that such an acknowledgement of defeat would spell the ruin of the dynasty, wired him to go forward at once to the relief of Metz. With heavy heart Marshal MacMahon and the Emperor Meuse, endeavoring to find a place where they might cross and thence drive back the Germans. At Sedan, almost down to the Belgian border, they made the despairing attempt, 1-2 September, 1870. Outnumbered and finally surrounded, they surrendered themselves with 81,000 men, having lost in killed and wounded about 25,000. The first phase of the Franco-German war was over; it had lasted barely six weeks." Carlton J. Hayes, *History of Modern Europe* (New York: Macmillan Co., 1918), p. 200.

92 "In 1870, the Franco-Prussian War broke out. Italy remained neutral, but the withdrawal from Rome of the French troops who had been supporting the Pope, made possible the annexation of the city. Rome now became the capital of the country. Dorf, *op. cit.*, pp. 204-205.

93 Brother George Bender was born in 1842 and died in 1925. He fulfilled various duties while stationed at St. Mary's; among them were those of prefect, bandmaster, storekeeper and instructor. Father Garraghan speaks of him thus: "The career of Brother George Bender could be written around the single word—service—a word much overworked, but for all that expressive of some of the noblest realities in life. He was always scrupulously concerned for the accurate discharge of the day's work and always maintaining that spiritual view-point which alone ennoble the humdrum and prosaic tasks of life. He was not Catholic-born, having been given the gift of Faith with dramatic suddenness shortly before he became a Jesuit in 1866. Before the turning point of his career he had seen much of life in a few years, having been shipcook, sailor, factory hand, and Union soldier in the Civil War; fighting under McClellan in the Potomac campaigns and marching with Grant on Richmond." Garraghan, *op. cit.*, III, 591.

94 "They" could refer to either the Italians or the Prussians. For many years there had been various uprisings in Italy and Sicily designed to bring about a united Italy; for example, Massini's attempt in 1848, the Austro-Sardinian War (1859), the popular uprisings in Parma, Modena and Tuscany (1860), Garibaldi Expedition (1860), and now the acquisition of Rome.

In respect to Prussia, Bismarck was most anxious to bring about unification, especially the four large south German states, Bavaria, Wurttemberg, Baden and Hesse. Dorf, *op. cit.*, pp. 204-205.

95 Osage Mission was located in Neosho County, Mission Township 13, Township 26S, Range 20E.

There is a whole chapter in the life of the Osage Indians expressed by this single line: "The Osage are being driven out from the state of Kansas." In 1865, the Osage Indians ceded to the government nearly a million acres of land. "The lands ceded by the Osage to the government for \$200,000.00 comprised a strip fifty miles in length by thirty miles in width of 960,000 acres lying between the Verdigris

river on the west and the Cherokee Neutral lands on river on the west and the Cherokee Neutral lands on the east. The Northern boundary was the New York Indian Tract, and the southern boundary the Indian territory. On these lands no pre-emption claim or homestead settlement was to be recognized. The \$300,000 at five percent interest was to be paid semi-annually in money, clothes, provisions, or useful articles.

In addition, the Osage ceded to the United States a strip twenty miles wide along the entire length of their reserve. This land comprising 2,944,000 acres was to be held in trust and sold for agricultural implements, buildings of houses, the employ of a physician and mechanics.

This treaty was not ratified by the Senate until June 26, 1865. It was proclaimed January 21, 1867." Sister Mary Paul Fitzgerald, *Beacon on the Plain* (Leavenworth, Kansas: St. Mary's College Press, 1939), p. 118.

96 Some of the dangers facing the Society of Jesus were: the Jesuits were suppressed in Germany and Guatemala, and secondly, the rain headquarters of the Jesuits was in Rome; the war in Italy had its effect on the Jesuits.

97 The following is a list of the names of the Newspapers at St. Marys, Kansas, to 1880:

Kansas Herald, August 23.....1870
The St. Mary's Star.....1870-1871
Pottawatomie Independent....1871-1871
Pottawatomie Star.....1871-1872
The Time....1874-1877
The Democrat....1877-1878
Pottawatomie Chief....1878-1879

98 Father Schoenmaker was faced with the same problem as the Jesuits of St. Mary's concerning the problem of taxation on the new boys' school, St. Francis' Institution for Boys.

The Sisters who began to erect a three story stone building in 1871 were faced with the same problem.

Father John Schoenmaker was born on November 20, 1807, in Waspick, the

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province of North Brabant, Holland. He entered the Society as a priest in 1834 at Whitemarsh, Maryland. In 1846 he was sent to Osage Mission as superior. He remained superior for nearly thirty-six years. He died at Osage Mission on July 28, 1883. *Ibid.*, pp. 151-162.

99 Father Phillip Colleton was born in Donaghmoynne, County Monaghan, Ireland, March 17, 1821, and entered the Jesuit Order on July 15, 1854. He was stationed first at St. Joseph's College, Bardstown, Kentucky, and later at St. Louis University. As a priest he was stationed at St. Mary's Mission and later at Osage Mission. The labour of this missionary extended along the border counties of Missouri and Arkansas, the land of the Cherokee, Peoria and Seneca Tribes in the Indian Territory and the five southern Tribes in the Indian Territory and the five southern counties of Kansas: Crawford, Cherokee, Labette, Montgomery and Neosho. Father Colleton died at Osage Mission on December 1, 1876. *Ibid.*, pp. 190-200.

100 The spread of the knowledge and love of the Sacred Heart was given as a special assignment to the Jesuits according to the revelation of St. Margaret Mary. Because of this honor and duty, the Jesuits were accorded this privilege mentioned in the diary.

101 "St. Francis Borgia: born at Gandia, Spain, October 28, 1510; profession in society of Jesus, Gandia, Spain, February 2, 1548; ordained priest at Vergara, Spain, May 23, 1551; died in

Rome, October 1, 1572; beatified by Pope Urban VIII, November 24, 1624; canonized by Pope Clement XI, April 12, 1671." Corley and Willmes, *op. cit.*, p. 37.

102 Francis Palmer, son of Dr. Luther Palmer, was born on March 17, 1851, and was, by report, the first white child born in Pottawatomie County. Cf. Garraghan, *op. cit.*, III, 37.

Father Gailland has Michael Collins listed in the Student's Register: "Michael Collins, St. Mary's Kansas, entered 2 Jan., 1870; withdrew 30 March, 1870; day student; age 18. Gailland." *Student's Register, op. cit.*, p. 5.

103 Father Francis Xavier Kuppens (1838-1916) was educated in the Jesuit college of his native town, Turnhout in Belgium, and entered the novitiate at Florissant in 1857. In 1864, a year after his ordination, he was sent to St. Peter's Mission among the Blackfoot Indians. From this mission he did much work in the mountain territory. In 1868, he was assigned to St. Mary's Potawatomi of Kansas, he had later missionary experiences with the Sioux of Grand River, Dakota Territory, and Arapaho of Wyoming, besides being employed for many years in the parochial ministry in Chicago, Cincinnati, and St. Charles, Missouri. The last fourteen years of his

life was spent at the novitiate, Florissant, where he died April 8, 1816." Garraghan, *op. cit.*, III, 589.

104 A polemic homily would seem to mean an argumentative or controversial approach to some moral problem.

¹⁰⁵ Father Gailland in 1876 says:

"Sharks of all kinds follow the Indians wherever they go, and never lose sight of them night and day; they use all manner of frauds and artifices to get hold of the Indian's money and property." Mauric Gailland, *Historia Domus* (Unpublished, Archives of St. Mary's College, St. Marys, Kansas), p. 82.

106 William Horn's name is mentioned by Father Gailland in the Student's Register, but N. Jamine's name does not appear. The following entry is made about Horn: "William Horn, Junction City, Kansas, entered 18 March 1870, age 15, withdrew June 1871." *Student's Register, op. cit.*, p. 8.

107 Brother Peter Goodwin has been stationed at St. Mary's since 1862. He was in charge of the swineherd. Brother John Patton arrived on September 9, 1856. He was the tailor and janitor of the school; Brother Patrick Kohoe was in charge of the dining hall; Brother Martin Corcoran arrived on September 9, 1866. He was the cloths-keeper and infirmarian of the school. Brother Patrick Clements arrived at St. Mary's on March 24, 1870. There is no record of his duties. Father Patrick Ward was the superior of the Mission. Cf. O'Connor, *op. cit.*, p. 332.

108 The feast of the Presentation of the Blessed Virgin. It was a very appropriate day for the Madames of the Sacred Heart to renew their vows.

109 Bishop Miege left for Rome in the Summer 1869. "After the consecration of this first Cathedral in Kansas Territory, Bishop Miege prepared to leave for Rome to attend the Vatican Council and later to

gather funds in South America. He appointed the Very Rev. L. M. Fink, O.S.B., Prior of St. Benedict's, Atchison, Vicar general in spiritualibus, and the Rev. Father Michael Corbett, S. J. administrator in temporalibus." Moeder, *op. cit.*, p. 24.

The infallibility of the Pope in matters of faith and morals was proclaimed at this council.

110 In Father Gailland's entry of students, we find recorded: "Owen Reynolds, entered 8 Sept. 1870; died 2 Dec. 1870 at the college." *Student's Register, op. cit.*, p. 28.

111 An epidemic is always a fearful thing in a boarding school where boys are in such close contact with each other. This particular epidemic did not seem to be serious, however.

112 In Father Ponziglione's Journal, the following comments are made about Father Perrier: "December 2, 1868: During his stay in Leavenworth with our Rt. Rev Bishop he (Ponziglione) exposed to him the state of the Catholics around Ottawa City, their good wishes about building a church etc. Rt. Rev. Bishop took good deal of interest in all this information and charged Rev. J. Perrier who was there present, with the care of that congregation; so there will no longer (be) need for any Father of this mission." See Garraghan, *op. cit.*, II, 576.

113 Huhns probably arrived from the seminary in Topeka. In Sadlier's Catholic Directory he is listed as stationed at the Church of the Immaculate Conception, Leavenworth, Kansas.



For the record...

BUSINESS COMMITTEE MINUTES JANUARY 24, 1991

Present: Chairman John A. Barrett, Vice-Chairman Linda Capps,

Secretary-Treasurer Bob Davis, Committeeman Hilton Melot, Committeeman Francis Levier, Grievance Committee members

Jerry Motley, Gene Bruno, Accounting Department employees Carolyn Sullivan, Dee Hembree, Becky Carter, Susan Reinish, Tribal Rolls Mary Farrell.

Chairman Barrett called the meeting to order at 7:00 p.m.

Linda Capps moved to approve Resolution #91-41

enrolling 25 descendency applicants; Bob Davis seconded. Passed 5-0.

Hilton Melot moved to approve Resolution #91-42 enrolling 25 descendency applicants; John Barrett seconded. Passed 5-0.

Linda Capps moved to approve Resolution #91-43 enrolling 25 descendency applicants; Bob Davis seconded. Passed 5-0.

Hilton Melot moved to approve Resolution #91-44 enrolling 25 descendency applicants; Bob Davis seconded. Passed 5-0.

Francis Levier moved to approve Resolution #91-45 enrolling 25 descendency applicants; Linda Capps

seconded. Passed 5-0.

John Barrett moved to approve Resolution #91-46 enrolling 25 descendency applicants; Bob Davis seconded. Passed 5-0.

Bob Davis moved to approve Resolution #91-47 enrolling 7 applicants eligible for enrollment under previous guidelines; Francis Levier seconded. Passed 5-0.

Francis Levier moved to approve the demolition of the old police shop as soon as possible; Bob Davis seconded. Passed 5-0.

Meeting adjourned at 7:45 p.m. and convened as Tax Commission.

Meeting reconvened at 9:45 p.m. as Business Committee.

Francis Levier moved to approve \$150.00 donation to Tecumseh Indian Education which has 60 Potawatomi children enrolled; Hilton Melot seconded. Passed 5-0.

Meeting adjourned as Business Committee and reconvened as Tax Commission.

Festival of American Folklife planned for June and July

The dates announced in October 1990 for the Smithsonian Institution's 25th annual Festival of American Folklife have been changed. The Festival will be held outdoors on the National Mall in Washington, D.C., June 28-July 1 and July 4-7. Hours are 11 a.m. to 5:30 p.m., with dance parties each evening (except July 4) from 5:30 to 7 p.m. The Festival is co-sponsored by the Smithsonian and the National Park Service.

The Festival will have four main programs.

The 25th Anniversary Music Stage will feature traditional musicians and major popular artists who will explore grass-roots musical traditions and their revitalization and continuity in popular music.

A program on the Family Farm will examine the crisis facing many rural communities in the heartland and the

cultural consequences of this crisis for the United States.

The Indonesia program will offer visitors an opportunity to savor the artistic traditions of that colorful, culturally rich, diverse nation. Participants will include forest dwellers, fishermen and agriculturalists.

Native Americans from throughout the Western Hemisphere will participate in the Columbus Quincentenary program, which takes as its departure point the year 1491 — the year before Columbus' voyage to the Americas. The program will explore the ways that different Native American groups understood and used the land and will celebrate the pre-Columbian heritage that still endures.

The Festival is accessible to people using wheelchairs; various services are available for hearing-impaired and

visually impaired visitors. All events are free; food is sold on the site. Parking around the Mall is extremely limited. Visitors are advised to use Metrobus or Metrorail. The Smithsonian station on the Blue and Orange Lines of the Metro subway system is located on the Festival grounds.

For general visitor information, call (202) 357-2700 (voice) or (202) 357-1729 (TDD). During the Festival, a recording of highlights will be available on (202) 357-4574.

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Tribes in Oklahoma...

OU Press author plays part in Zuni Tribe trial

NORMAN, OKLA. -- A University of Oklahoma Press author has been a key player in a case that resulted in the restoration of Zuni lands and creation of a plan for developing and preserving the natural resources on the pueblo.

E. Richard Hart, co-author with T.J. Ferguson of "A Zuni Atlas," was cited as an expert witness in the trial brought in the early 1980s by the Zuni Tribe against the United States before the U.S. Court of Claims.

Hart also played a part in the second phase of the case in which appraisers for the U.S. government and the Zuni Tribe worked to negotiate a settlement.

The initial trial was held to determine whether the United States had taken lands that had been held exclusively by the Zuni Tribe and, if so, when they were taken. The Zunis also contended that U.S. government practices, including logging operations and mining on adjacent non-reservation lands, damaged Zuni land.

Many complex issues were raised at the trial, and it took the judge five years to

make a decision. In 1987, Judge Judith Ann Yannello filed her 100-page decision, which ruled in favor of the Zunis.

In her summary, she found that the Zunis had "aboriginal title" to a large portion of what has since become the states of ARIZONA and NEW MEXICO and that as a result of acts or omissions of the United States, Zuni were deprived of 14,835,892 acres over a period between 1876 and 1939.

Following a decision, the case entered the valuation phase. Between 1987 and 1990, appraisers of the U.S. Department of Justice and the Zuni Tribe worked to determine the value of the land at the time it was taken.

The OU Press authors were among expert witnesses who testified that many tribes were forced to settle their claims for amounts that represented very small per acre values — as little in some cases as 25 cents per acre.

In November, the two parties agreed to a settlement of \$25 million — about \$1.69 an acre — the amount tribal appraisers

had concluded the claim was worth.

The next month, President George Bush signed into law the Zuni Conservation Act of 1990, which is aimed at restoring Zuni lands and creating a plan for developing and preserving the pueblo's natural resources. The bill, which authorizes \$25 million that must be appropriated separately, does not assign blame for deterioration of Zuni lands.

"The Zuni Conservation Act of 1990 represents a victory not only for the Zuni people in their efforts to rehabilitate

eroded trust lands and create a sustainable development plan for natural, cultural and human resources, but also a triumph for the conservation movement and a Congressional acknowledgement of the role that watershed management has in controlling erosion," Hart said.

The Zuni resource development plan will serve as a mode for other tribes, industries and governmental agencies in the Southwestern United States and other regions of the nation and the world, he noted.

OU Health Sciences Center offers summer program

American Indian students who are graduating from high school or already in their freshman year of college can earn credit hours at the University of Oklahoma Health Sciences Center, plus get a head start on a career in health care through the Headlands Indian Health Careers Program. The eight-week, all expense paid summer program, from June 14 through August 10, provides courses designed to increase the student's academic and study skills.

Mini-block courses in mathematics, chemistry, physics, biology and communication skills (reading, writing improvement, study skills, listening skills and test-taking techniques) are covered in a rigorous scientific and academic environment that equal or surpasses the pace of most state universities, said Tom Hardy, Headlands program director at the OU Health Sciences Center's Oklahoma City campus. Those completing the course will receive four credit hours from OU for a course titled "Introduction to the Biomedical Sciences."

Students enrolling in the program are provided with room, board, tuition and round trip air transportation to the Headlands Conference Center, located in Mackinaw City, Mich. Each participant also will receive a \$300 stipend over the course of the summer. A \$200 scholarship will be awarded to each program graduate, to be applied toward fall enrollment fees and tuition at the student's chosen university.

"This is an intensive and rigorous academic program. Any applicant who is expecting an easy summer or vacation in Michigan will be rudely disappointed. We expect participants to attend all classes and field trips, keep up with a demanding schedule and a large amount of homework, and give a formal presentation on their tribe," said Hardy.

For more information about the Headlands program, call Staci Elder Rivas, (405) 271-2250.

Schwarzkopf named honorary chief

(From The Daily Oklahoman) — Geoffrey M. Standing Bear, assistant chief of the Osage Indians, learned that Gen. Norman Schwarzkopf, commander of Operation Desert Storm in the Persian Gulf region, is the proud possessor of two eagle feathers received some time ago from an Osage. On Feb. 20, Standing Bear and the Osage tribal council made official Schwarzkopf's status as an honorary chief of the tribe, based in north central Oklahoma.

Such a designation for Schwarzkopf seems appropriate, given the role he played in desert storm, and traditions associated with the tribe. In a story for The Oklahoman in 1987, Stacy D. Johnson described the meaning of Oklahoma's state flag (printed every Saturday in the upper right hand corner of our front page):

"The flag's center portion portrays an Osage warrior's light tan buckskin shield,

decorated with white eagle feathers. Across the face of the shield runs the Indian calumet, or pipe of peace, crossed with the white man's peace symbol, the olive branch.

"The blue field of the flag represents Oklahoma skies.

"Symbolically, the blue field signifies loyalty and devotion, with the shield implying defensive or protective warfare.

"The small tan crosses are Indian signs for stars, and indicate lofty ideals or a purpose for high endeavor.

"The calumet and the olive branch, symbols of peace, override the shield, the symbol of war, and symbolize a strong love of peace by the people of Oklahoma."

Standing Bear said in a recent interview with the Tulsa World that Schwarzkopf "exhibits all the qualities we look for. Wisdom, courage, frankness, boldness — and a little bit of arrogance. Those are traditional Osage traits."

Group offers help to contractors

The Oklahoma Indian Contractors and Business Association offers help to businesses which are construction or supply-related and have a minimum of fifty-one percent (51%) owner. A trade organization, it is funded by dues and not affiliated with any group or organization.

Want to know more? Please contact Dan W. Holman (Choctaw), President, OICBA, P. O. Box 20486, Oklahoma City, OK 73156, 1-405-848-3822. The following are the group's bylaws:

ARTICLE 1: OBJECTIVES

The objectives of this organization, by its own efforts and through formal agreement with its membership will be:

A. As a primary objective, to promote the general and individual welfare of Oklahoma Indian-owned firms and Tribal Enterprises which are builders, general contractors, sub-contractors, suppliers, and manufacturers in the construction, and/or personal services industry.

B. To promote an economic environment in which Oklahoma Indian Entrepreneurs and Tribal

Entities can better marshal their talents.

C. Development and maintenance of an organizational structure and relationships that will insure full and continuing participation of individual Indian and Tribally-owned firms in Federal and State programs with "Buy Indian" Act requirements and set-aside contracts.

D. To seek and provide, to the extent practicable with the assistance of tribes, public and private entities, increased purchasing of goods and services from Oklahoma Indian and Tribally-owned firms.

E. To secure technical assistance for the Oklahoma Indian Contractors and Business Association (OICBA) functions for the development of programs and projects which the Association determines are necessary to achieve its objectives.

F. To seek and provide opportunities for education and training which enhances future Indian participation in the construction and/or personal services industry.

G. To provide advocacy for Oklahoma Indian Contractors and Business Association in the planning and development of specific legislation which promotes, enhances and supports Indian Preference and Tribal Employment Rights as tools to achieve greater economic self-sufficiency and employment opportunities.

Oklahoma University tuition waiver scholarship to begin in fall 1991

NORMAN — Undergraduate American Indian students who live outside of Oklahoma but whose tribal affiliation is one of the federally recognized tribes within the state will be eligible for a waiver of non-resident tuition at the University of Oklahoma, a savings of up to \$3,000 a year.

Beginning in fall 1991, OU will waive the non-resident tuition for any first-time entering, non-resident American Indian student who is affiliated with any of the 37 federally established tribes in the state, said Paul Bell, acting OU registrar.

This new tuition waiver scholarship program can be renewed for up to five years of undergraduate study, giving it a value of up to \$15,000.

To be eligible for the tuition waiver scholarship, students must be able to demonstrate their relationship to one of the federally recognized Oklahoma tribes. This may be done through documentation of tribal rolls, certificates of degree of Indian blood and other acceptable means.

The 37 federally recognized tribes of Oklahoma are the Absentee Shawnee

Tribe; the Alabama Quassarte Tribal Town of the Creek Nation; Apache Tribe; Caddo Indian Tribe; Cherokee Nation; Cheyenne Arapaho Tribes; Chickasaw Nation; Choctaw Nation; Citizen Band Potawatomi Tribe; Comanche Indian Tribe; Creek Nation; Delaware Tribe of Eastern Oklahoma; Delaware Tribe of Western Oklahoma; Eastern Shawnee Tribe; Fort Sill Apache Tribe;

Iowa Tribe; Kaw Indian Tribe; Kialegee Tribal Town of the Creek Indian Nation; Kickapoo Tribe, which includes the Texas Band of Kickapoo Indians; Kiowa Indian Tribe; Miami Tribe; Modoc Tribe; Osage Tribe; Ottawa Tribe; Otoe Missouria Tribe; Pawnee Indian Tribe; Peoria Tribe; Ponca Tribe; Quapaw Tribe; Sac and Fox Tribe; Seminole Nation; Seneca Cayuga Tribe; Thlopthlocco Tribal Town of the Creek Nation; Tonkawa Tribe; United Keetoowah Band of Cherokee Indians of Oklahoma; Wichita Indian Tribe; and the Wyandotte Tribe of Oklahoma.

Additional information about the new tuition fee waiver scholarship is available from (405) 325-2151.

HOW-NI-KAN

PEOPLE OF THE FIRE

The HowNiKan is published by the Citizen Band Potawatomi Tribe with offices at 1901 Gordon Cooper Drive, Shawnee, Oklahoma 74801.

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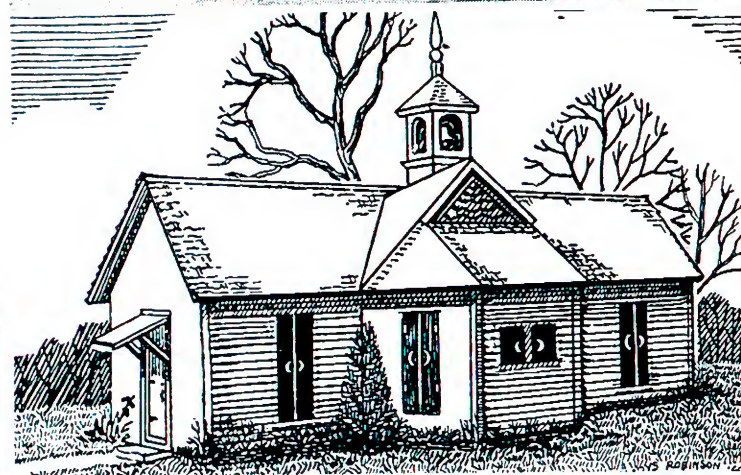
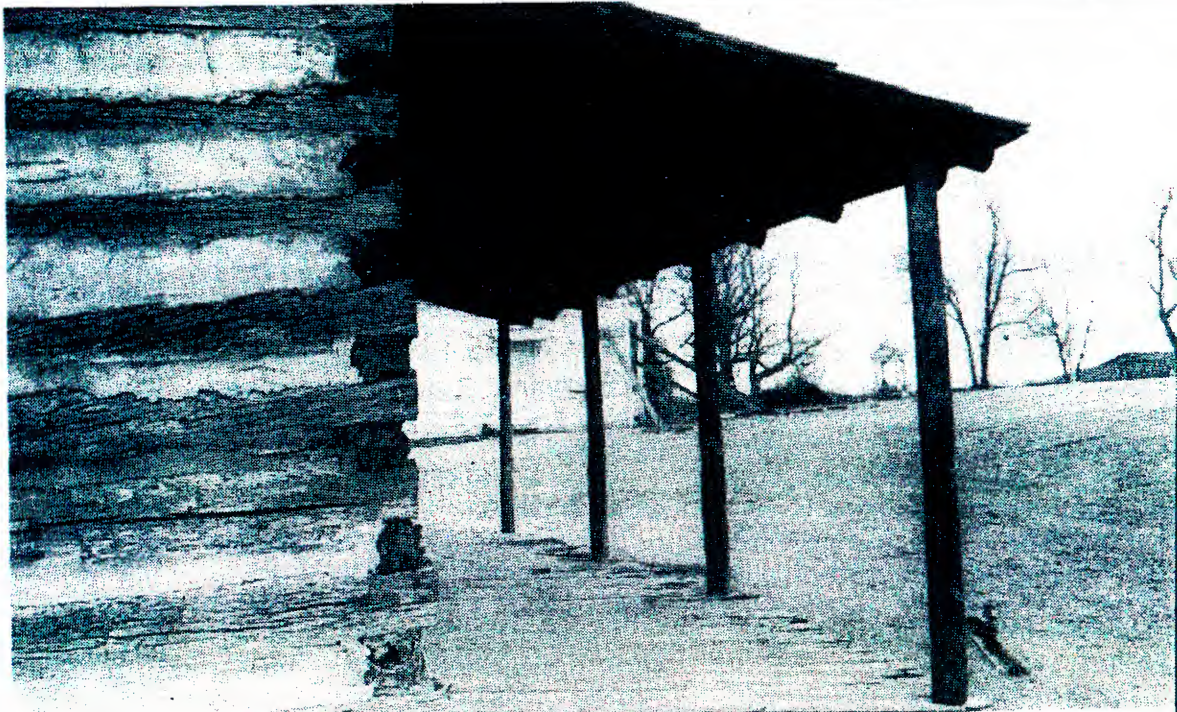
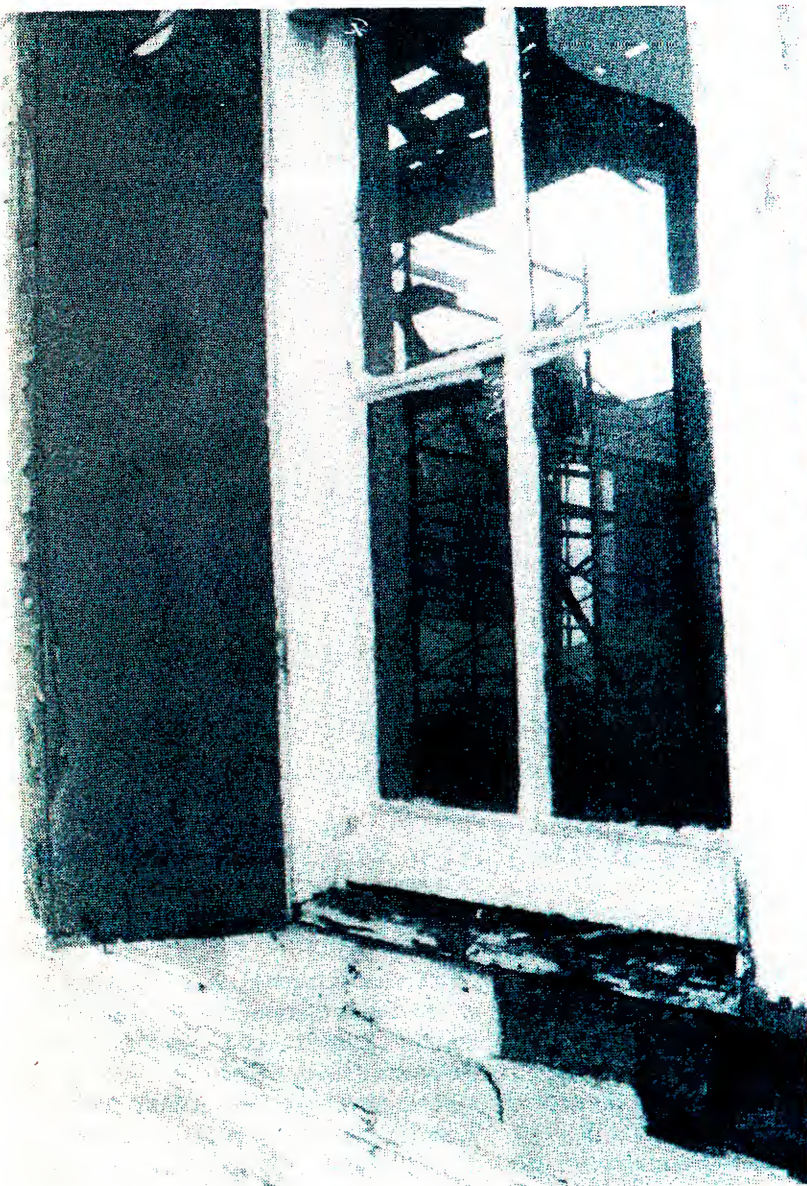
All correspondence should be directed to HowNiKan, 1901 Gordon Cooper Drive, Shawnee, Ok. 74801. Address changes should be sent to Potawatomi Tribal Rolls, 1901 Gordon Cooper Drive, Shawnee, Ok. 74801.

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At far left, looking from the outside through a window shows the interior complete with scaffolding and a view of the sky where the bell tower was. The photo above was taken from behind the Bourbonnais cabin looking toward the mission church through the cabin's porch. At left is a drawing of the church as it once looked — and will again.

Mission church will once again be site of services

Continued from page 1
to have to replace those rafters." That will be done as authentically as possible, he said. Dunning said that three additions have been made to the original building. Much work must be done to make it useable again.

"We've torn out the ceiling inside," he said, "and we need to rewire and paint. Plus, the foundation has to be redone. It's a 100 percent renovation." Tribal

members last year approved spending \$30,000 on the project, but it may not be enough. "I could build a new one cheaper," Dunning observed.

But you can't build that history. The church as sat empty for some time. For a while, the Pottawatomie County Historical Society used it as headquarters, but moved out when they could not afford to make necessary repairs. Then it was used for

storage for a while. Two years ago, the Citizen Band Potawatomi Tribe finalized the purchase of the 3.05 acres of land and the church building from the Friends. The site is also historic; it was there that the last Potawatomi allotment payments were made.

Sharing the site is the Mary Bourbonnais cabin, believed to be the oldest in the county. It has been repaired and is in good shape. That cabin was not a part

of the tribe's purchase; it is still owned by the Bourbonnais family.

Since the church building was first dedicated on Sept. 27, 1885, the tribe hopes to rededicate it on the same date in 1991. A Mission Advisory Group has been working with Tribal Chaplain Norman Kiker on plans for the renovation, as well as mission services.

"This old church, with so rich

a history, will once again serve those who wish to serve God," pledged Kiker. "It is the intention of the Chaplaincy to begin regular worship services at the old mission."

The way is being paved for that with mission services already being held at the tribe. Before many more months have passed, Potawatomis will return to the Friends Mission Church to worship once again.